

# Pre-registration briefing for those wishing to become childminders

October 2015

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LEGAL ISSUES

## Ofsted's role

- Register applicants
- Inspect childminders regularly after registration
- Consider any information about childminders that suggest they may not be meeting requirements for registration
- Take enforcement action when necessary

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## Ofsted's aims

Ofsted's aims through regulation are to:

- protect children
- ensure that childcare providers provide good outcomes for children
- ensure that childcare providers meet the requirements of the Early Years Foundation Stage and the Childcare Register
- promote high quality in the provision of care and early education
- provide reassurance for parents.

# The role of the local authority

This is to provide:

- information to applicants and registered providers
- support and advice
- training for childcare workers
- access to pre-registration training and first aid training for childminder applicants
- information to parents about childcare services.

# Types of childcare provision

## Childminding

Individuals looking after children on domestic premises, which is not the home of any of the children being cared for.

## Home childcarer

Individuals caring for children of no more than two families at the home of one of the children.

## Childcare on domestic premises

Four or more people looking after children on domestic premises, including childminders and their assistants.

## Childcare on non-domestic premises

Childcare on premises that are not domestic premises, such as nurseries or pre-schools.

## What is childminding?

- A childminder is one person, who can work with up to two other people at any time, looking after children on domestic premises for reward where at least one individual child attends for a total of more than two hours a day.
- Domestic premises means someone lives there: it is usually the home of one of the childminders.
- Reward is usually money, but can be any form of payment including goods, vouchers or money's worth.
- Childminders can register on the Early Years Register, the compulsory and voluntary parts of the Childcare Register, or both registers

## What is childcare on domestic premises?

- Childcare on domestic premises is determined by the number of people either providing childcare or looking after children or a combination of both.
- Childcare on domestic premises is **four or more** people providing childcare or looking after children in someone else's home.
- They must meet the specific legal requirements that relate to childcare, rather than childminding.

# Childminding: who needs to register?

You must register with Ofsted as a childminder if:

- you look after any children under the age of eight; and
- you look after at least one child for a total of more than two hours in any one day (or more than three hours if you are only looking after a friends' children); and
- the care takes place on domestic premises; and
- you receive reward for doing so.



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## Where you need to register

You will need to register on:

- the **Early Years Register** if you intend to care for children from birth to 31 August following their fifth birthday
- the **compulsory part of the Childcare Register** if you intend to care for children from the end of the Early Years Foundation Stage to seven years of age.

You can choose to register on:

- the **voluntary part of the Childcare Register** if you intend to care for children aged between eight and 17 years.

## When you can't register

You cannot register if you:

- are the parent, step-parent or relative of the child
- have parental responsibility for the child
- are a foster parent to the child
- only care for children for two hours or less a day
- provide care for friends where no payment is made, or three hours or less per day where you accept payment from your friend
- care for the child between the hours of 6pm and 2am only.

## When you can't register

- if you provide home education
- if you provide no more than two types of the following activities for children aged three plus and any care is incidental to these activities:
  - school study or homework support
  - performing arts
  - arts and crafts
  - sport
  - religious, cultural or language study

and any care is incidental to the activities.

# Registration on the Early Years Register

## The Early Years Foundation Stage

- promotes teaching and learning to help prepare young children for school through setting standards that all providers must meet
- places a duty on providers to comply with safeguarding and welfare, and the learning and development requirements
- is mandatory for all schools and Ofsted-registered early years providers, who care for children aged from birth to 31 August following their fifth birthday.

# Safeguarding and welfare requirements

These cover:

- child protection
- suitable people
- staff qualifications, training, support and skills
- key person
- staff:child ratios
- health
- managing behaviour
- safety and suitability of premises, environment and equipment
- special educational needs
- information and records

# Learning and development requirements

These cover:

- the early learning goals – knowledge, skills and understanding that young children should achieve by the end of the Reception year in which they reach the age of five
- the educational programmes – matters, skills and processes that are required to be taught to young children
- the assessment arrangements – arrangements for assessing young children to ascertain their achievements.

## How do I apply to register?

- You can apply online through the Ofsted Online website:  
<https://online.ofsted.gov.uk/OnlineOfsted/default.aspx>.
- You need a copy of the *Statutory Framework for the Early Years Foundation Stage*.



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## How does Ofsted register applicants?

- Carries out checks on and interviews applicants to make sure they are suitable for registration
- Carries out checks on others associated with an application to make sure they are suitable to work or be in contact with children
- Visits the applicant to check their understanding of the requirements of registration, including how to assess any risks to children and how to help children make progress in their learning and development.



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# What must I do to register?

You must:

- be familiar with the Early Years Foundation Stage before applying
- complete an online form, including:
  - your consent for Ofsted to carry out checks
  - a declaration of anything that might prevent you from caring for children.

## What must I do to register? - DBS checks

You must:

- make sure each person connected with your application completes a Disclosure and Barring Service (DBS) application form via <http://ofsteddbapplication.co.uk>, prior to submitting their application
- make sure that each person arranges to have their identity documents checked, as set out in the guidance on Capita's website
- each person connected with your application must have received their completed DBS check and registered with the DBS update service prior to applying to Ofsted. You can not apply without one.

# What must I do to register?

You must:

- complete a *Health declaration booklet* and take it to your GP prior to submitting your online application to Ofsted
- hold a paediatric first aid certificate before registration
- complete childminding training before registration
- Submit your completed online application form.

# What must I do to register?

Other persons aged 16 and over:

- who live and work on the premises where childminding takes place

or

- who will work with you caring for children

must complete an EY2 declaration and consent online using their own Government Gateway account

## What happens next?

Ofsted will:

- acknowledge receipt of your application form
- tell you how to pay your application fee

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## The registration visit

The inspector will check:

- your understanding of any risks to children on your premises, to ensure that you know how to keep your home safe and suitable for childminding
- your understanding of the Early Years Foundation Stage
- you are ready to begin caring for children and helping them to learn and develop from the point of registration.

# The registration visit

The inspector will check:

- your identity
- your understanding of the number and ages of children you may care for
- other relevant documents, such as qualifications, first aid certificate, childminding training and documents relating to your car if you intend to transport children.

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## How many children can I care for?

You can care for up to six children aged under eight.

Of these:

- no more than three children may be aged from birth to 31 August following their fifth birthday
- normally no more than one child may be aged under 12 months.

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## How many children can I care for?

In certain circumstances childminders may:

- care for more than one child aged under 12 months
- care for more than three children in the early years age group.

## How many children can I care for?

Please note:

- care provided for children aged eight and over is not allowed to adversely affect the care provided for children aged under eight
- if you employ an assistant or work with another childminder you may care for additional children
- childminding assistants can only care for children on their own for no more than two hours a day

## How many children can I care for?

Other factors affecting the number of children for whom you may provide care include:

- space available
- your own children and any others for whom you are responsible, such as relatives' children
- children that you care for who are aged four and five and who only attend childminding before or after a school day and in the school holidays may be counted as being older than the early years age group.

## After the visit

Ofsted confirms:

- whether you are suitable to be registered
- whether there needs to be any conditions or restrictions placed on your registration
- whether others connected with your application are suitable to work or be in regular contact with children.

## After the visit

When all checks are complete Ofsted sends you either:

- a letter granting registration and your certificate of registration setting out any conditions of registration

or

- a notice of its intention to refuse registration.

## After registration

Ofsted will:

- publish your name, address and telephone number on its website, with your consent
- inspect you at regular intervals and publish your inspection report on its website

[www.ofsted.gov.uk](http://www.ofsted.gov.uk)

## After registration

You must pay an annual fee to remain registered. You can pay your fee by any of the following methods:

- Ofsted Online
- Automated payment line
- Direct Debit
- bank giro
- transcash
- post
- home or online banking.

# The Childcare Register

Compulsory and voluntary registration  
on the Childcare Register

## The compulsory part of the Childcare Register

You **must** register on the compulsory part of the Childcare Register if you intend to care for children aged from 1 September following their fifth birthday to age seven.

## The voluntary part of the Childcare Register

You have the choice of registering on the voluntary part of the Childcare Register if:

- you intend to care only for children over seven years in your own home
- you are a home childcarer or a nanny caring for children from birth to 17 years
- one or more exemptions apply; for example, with regard to activity-based provision.

## How do I apply to register?

You can apply on the compulsory and/or voluntary part of the Childcare Register:

- through the Ofsted website  
(<https://online.ofsted.gov.uk/OnlineOfsted/default.aspx>)
- by completing an online application form.

# How do I apply to register?

You need to:

- pay an application fee
- sign a declaration confirming that you will meet all requirements of the register when you start to care for children
- produce a valid first aid certificate
- have completed a childminding training course for the compulsory part of the Childcare Register.

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## What happens next?

- Ofsted **will not** carry out a registration visit but may carry out any additional checks and interviews needed to establish suitability if there are concerns.
- Ofsted sends out the certificate of registration once the process is complete.

## After registration

- Ofsted will inspect if a parent or other person has concerns about your childcare provision. Ofsted will also select some providers at random for an inspection.
- You will not receive a report for these inspections. Instead Ofsted will send you a letter informing you whether your provision meets requirements.



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## Conclusion

- Childminding is very important work.
- You must show Ofsted how you intend to meet the Early Years Foundation Stage requirements and promote good outcomes for children.
- If you intend to register on the compulsory and/or voluntary parts of the Childcare Register, you must agree to meet the requirements.
- Ofsted works closely with local authorities, which will provide you with help, support and training.