

Guide to registration on the Childcare Register

This guidance provides you with information about registration on the Childcare Register. It will help you decide whether to apply and explains what processes your application will go through before we can decide whether you are suitable to be registered on the Childcare Register. It sets out who must apply to join the Childcare Register, who can choose to do so and how we register those applying. It also gives information on continued registration and inspection.

Age group: Birth–17

Published: July 2013

Reference no: 120084

The Office for Standards in Education, Children's Services and Skills (Ofsted) regulates and inspects to achieve excellence in the care of children and young people, and in education and skills for learners of all ages. It regulates and inspects childcare and children's social care, and inspects the Children and Family Court Advisory Support Service (Cafcass), schools, colleges, initial teacher training, work-based learning and skills training, adult and community learning, and education and training in prisons and other secure establishments. It assesses council children's services, and inspects services for looked after children, safeguarding and child protection.

If you would like a copy of this document in a different format, such as large print or Braille, please telephone 0300 123 1231, or email enquiries@ofsted.gov.uk.

You may reuse this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit www.nationalarchives.gov.uk/doc/open-government-licence/, write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: psi@nationalarchives.gsi.gov.uk.

This publication is available at www.ofsted.gov.uk/resources/120084.

To receive regular email alerts about new publications, including survey reports and school inspection reports, please visit our website and go to 'Subscribe'.

National Business Unit
Piccadilly Gate
Store Street
Manchester
M1 2WD

T: 0300 123 1231
Textphone: 0161 618 8524
E: enquiries@ofsted.gov.uk
W: www.ofsted.gov.uk

No. 120084

© Crown copyright 2013



Contents

What do we mean by...?	4
Introduction	8
Types of childcare on the Childcare Register	8
Who applies for registration	10
Not allowed to register	13
Early Years Register	13
Childcare Register	13
Charges for applying	16
Applying to register – the process	16
Things that could prevent you from being registered	18
Refusing registration	21
Withdrawing an application to register	21
After registration	22
Inspection	23
Compliance with the requirements of the register	24
How we use information related to your registration	25
Resigning registration	25
Registration on the Early Years Register as well as the Childcare Register	26
Annex A. First aid guidance	27
Annex B. Assessing the suitability of staff	32
Annex C. Qualifications and training	36

What do we mean by...?

Here is an explanation of some of the terms used in this booklet.

Applicant

A person who applies for registration as a childminder or childcare provider.

Childcare Act 2006

The law that sets out:

- duties on local authorities to improve outcomes for children and to ensure access to information about provision in their area
- legal frameworks for the regulation and inspection of provision for children from birth to age 17
- the Early Years Foundation Stage: this is the framework for the delivery of quality integrated care and education for children from birth to the 31 August following their fifth birthday.

Childminder

A person who is registered to look after one or more children to whom they are not related on domestic premises for reward.^{1,2}

Childminders work with no more than two other childminders or assistants. They:

- care for children at a private dwelling that is not the home of one of the children, or
- care for children from more than two families wholly or mainly in the home of one of the children

and:

- must register to care for children under the age of eight
- can choose to register to care for older children.

Childminders care for at least one individual child for a total of more than two hours in any day. This is not necessarily a continuous period of time. For example if they provide care for the **same** child aged under eight for an hour before and an hour and a half after school then registration is required; however, if they provide care for one child aged under eight for an hour before school and provide care for a **different** child aged under eight for an hour and a half after school then registration is not required.

¹ There is more information about reward in our factsheet *Childminding between friends*, Ofsted, 2012; www.ofsted.gov.uk/resources/100108.

² Please refer to the definition of domestic premises on page 5.

Childcare providers on domestic premises³

People who provide care on domestic premises with at least three other people.

The difference between childminding and childcare on domestic premises is the number of people involved. If four or more people look after children at any time, they are providing childcare on domestic premises, not childminding.

Childcare providers on non-domestic premises

Registered providers that care for children on premises that are not someone's home. These premises can range from converted houses to purpose-built nurseries and are usually known as day nurseries, private nursery schools, pre-schools and before and after school clubs for children in the early years age group.

Childcare Register

A register of providers who are registered by Ofsted to care for children from birth to 17 years. The register has two parts:

- **the compulsory part**
Providers must register on this part if they care for one or more children following their fifth birthday until they reach their eighth birthday.
- **the voluntary part**
Providers who are not eligible for compulsory registration may choose to register on this part. These are mainly people looking after children aged eight and over, or providing care in the child's home (usually nannies).

Department for Education

The government department responsible for the Childcare Act 2006 and the regulations that underpin it. This includes Ofsted's responsibilities for regulating and inspecting childcare and early education. The Department for Education is also responsible for the Early Years Foundation Stage, which underpins our inspections of registered early years provision.

Domestic premises

Any premises that are wholly or mainly used as a private dwelling – that is, someone's home. A home is where someone lives outside of any work or study. This means they normally have meals there, sleep there and spend their leisure time there.

Early years age group

Children aged from birth until the 31 August following their fifth birthday who attend early years settings that deliver the Early Years Foundation Stage.

³ Please refer to the definition domestic premises on page 5.

Early Years Foundation Stage

The statutory framework for the early education and care of children from birth to the 31 August following their fifth birthday.

The Early Years Foundation Stage includes requirements for young children's safeguarding and welfare and their learning and development that all providers must meet, as well as good practice guidance. The Early Years Foundation Stage must be delivered by all schools and early years settings that are registered on the Early Years Register.

Further information on the Early Years Foundation Stage is available from the Department for Education and Foundation Years websites.^{4,5}

Early years providers

Those who are registered on the Early Years Register to provide for children in the early years age group.

Early Years Register

A register of providers who are registered by Ofsted to care for children in the early years age group. Unless exempt, the following must register on the Early Years Register:⁶

- maintained and independent schools, including academies, directly responsible for provision for children from birth to the age of three or where no child attending the provision is a pupil of the school⁷
- childcarers, such as childminders, day nurseries, pre-schools, wrap around provision and private nursery schools, which provide for children in the early years age group.

For more information about registration on the Early Years Register please look on our website (www.ofsted.gov.uk) or contact your local family information service.

Early years settings

Childminders, day nurseries, playgroups and any other settings that are registered with Ofsted on the Early Years Register including registered provision in children's centres, maintained and independent schools. They provide the Early Years Foundation Stage for children in the early years age group.

⁴ The Department for Education website is available at: www.education.gov.uk/childrenandyoungpeople/earlylearningandchildcare/delivery/education/a0068102/early-years-foundation-stage-eyfs.

⁵ The Foundation Years website is available at: www.foundationyears.org.uk/early-years-foundation-stage-2012.

⁶ Childcare - Registration not required, Ofsted, 2012; www.ofsted.gov.uk/resources/080134.

⁷ Schools that admit children who are three during the term in which they start school, known as 'rising threes', may treat those children as three-year-olds for the purposes of registration.

Enforcement

The action we take when a provider does not meet the requirements for registration.

Home childcarers

A person aged 18 or over who cares for the children aged from birth to 17 years of no more than two families at any one time wholly or mainly at the home of one of the children. This includes nannies.

Inspection

A system to check that registered providers continue to meet requirements. In the case of those on the Early Years Register, inspection also evaluates and reports on the quality and standards of the early years provision.

Investigation

The action we take in some cases following receipt of information to establish whether a registered provider continues to meet the requirements for registration or whether an unregistered person is providing childminding or childcare for which registration is required.

Later years provision

The provision of childcare for children from the 1 September following their fifth birthday to the day they reach the age of 18.

Ofsted

We are an independent, non-ministerial government department, which is responsible for the inspection of a range of education and children's services, and for the inspection and regulation of registered early years and childcare provision. Our full title is the Office for Standards in Education, Children's Services and Skills. For more information about us, visit our website (www.ofsted.gov.uk).

Registered person

An individual or organisation that is registered to provide childcare and/or early years provision.

Regulation

This covers registration, inspection, investigation and enforcement.

Introduction

1. This guidance provides you with information about registration on the Childcare Register. It is not authoritative legal advice. It will help you decide whether to apply for registration and explains what processes your application will go through before we can decide whether you are suitable for registration on the Childcare Register. It sets out who must apply to join the Childcare Register; who can choose to do so; and how we register those applying. It also gives information on continued registration and inspection.
2. The Childcare Register is for people for whom registration is either:
 - compulsory: because they care for children aged from 1 September following their fifth birthday up to the age of eight and at least one individual child attends for a total of more than two hours in any one day
 - voluntary: because they care for children for whom compulsory registration is not required, for two or more hours in any one day; or for a period less than two hours where this includes care immediately before or after a school day.⁸ This includes:
 - home childcarers such as nannies (who care for the children of no more than two families at the home of one of the children) caring for children from birth until their eighteenth birthday
 - providers who care for children aged eight or over, until their eighteenth birthday
 - activity-based provision like sports coaching for children of all ages
3. Applicants for the Childcare Register make a declaration that they meet, or will meet at registration, requirements relating to people, premises and provision. Ofsted carries out checks with the Disclosure and Barring Service and local authority children's services departments before making a decision on whether to grant registration. We do not usually interview applicants to assess their suitability or visit the premises where they intend to provide care before we grant registration.
4. We monitor registered providers through inspections carried out on a random basis or when parents tell us they have concerns about the care provided.
5. Parents who use registered childcarers may be eligible to claim the childcare element of working families' tax credit.

Types of childcare on the Childcare Register

6. Applicants for registration on the Childcare Register can apply to register as:
 - childminders

⁸ That is, care immediately before or after normal school hours.

- home childcarers
- childcare on domestic premises
- childcare on non-domestic premises

Childminders

7. You **must** apply for registration as a childminder if you intend to provide care for one or more children aged from 1 September following their fifth birthday up to the age of eight on domestic premises. This care is provided for reward. At least one individual child attends for a total of more than two hours in a day and you either intend to work alone or with no more than two other people.
8. You may **choose** to register as a childminder if you intend to provide care for children aged from eight to 18 on domestic premises. This care is provided for reward and for two or more hours in any one day, or for a period less than two hours where the care is made immediately before or after a normal school day. You either intend to work alone or with no more than two other people.
9. Reward can be money or payment by other means, such as gifts or services. This does not apply to arrangements made between friends to provide reciprocal childcare where no money changes hands or money payments are made for things like electricity or food.⁹
10. Domestic premises mean any premises that are wholly or mainly used as a private dwelling – that is, they are someone’s home. It does not have to be the childminder’s home but cannot normally be the home of one of the children for whom the childminder is providing care. If you intend to look after children for one or two sets of parents wholly or mainly in the home of either or both sets of parents then you should apply as a home childcarer.¹⁰
11. If you care for children for three or more sets of parents, at any one time, wholly or mainly in the homes of one or more sets of parents then you should apply as a childminder.
12. If you intend to work on domestic premises with at least three other people at any one time to provide childcare then you should apply to provide childcare on domestic premises.

Home childcarers

13. You may **choose** to register as a home childcarer if you intend to care for children from birth up to the age of 18 of no more than two families at any one time, at the home of one of the children. The care must be for two or more hours in any one day or for a period less than two hours where this includes

⁹ *Childminding between friends*, Ofsted, 2012; www.ofsted.gov.uk/resources/100108.

¹⁰ This is normally where two families share a nanny: <http://www.ofsted.gov.uk/early-years-and-childcare/for-early-years-and-childcare-providers/caring-for-children-their-own-home>.

care made immediately before or after a normal school day. Home childcarers are most commonly nannies or au pairs.

Childcare provider on domestic premises

14. You **must** apply to be a childcare provider on domestic premises if you intend to work with at least three other people at any one time caring for children aged from 1 September following their fifth birthday up to the age of eight on domestic premises; providing at least one individual child attends for a total of more than two hours. We have a separate factsheet that provides more information about this type of childcare.¹¹
15. You may **choose** to register as a childcare provider on domestic premises if you intend to work with at least three other people at any one time caring for children aged from eight up to the age of 18 on domestic premises for two or more hours in any one day; or for a period of less than two hours where this includes care made immediately before or after a normal school day.

Childcare provider on non-domestic premises

16. You **must** apply to be a childcare provider on non-domestic premises if you intend to care for children aged from the 1 September following their fifth birthday up to the age of eight on non-domestic premises if at least one individual child attends for a total of more than two hours. Non-domestic premises cover a wide variety of premises such as converted houses, purpose-built provision, a church or village hall.
17. You may **choose** to register as a childcare provider on non-domestic premises if you intend to care for children aged from eight up to the age of 18 on non-domestic premises for two or more hours in any one day; or for a period less than two hours where this includes care made immediately before or after a normal school day.
18. Depending on the information you have given us about your service and its times and days of opening, we may identify your service in our published materials as a particular type of childcare, for example, an after-school club or holiday playscheme. You may identify yourself differently, and it will not affect your registration, as we will register you as childcare on domestic or non-domestic premises.

Who applies for registration

19. We register childcare providers who provide care in England. We cannot register childcare provision that operates in another country, including Wales and Scotland.

¹¹ *Childcare on domestic premises*; www.ofsted.gov.uk/publications/080142.

20. Applicants must have the right to work in the UK. If you are not sure whether you have the right to work in the UK, you should contact the UK Border Agency for advice at www.bia.homeoffice.gov.uk or by telephoning 0870 606 7766.
21. Applicants may apply for registration as a childminder and a home childcarer on one application form if they wish to provide either of the two types of care or both. Separate application forms are required for all other childcare registrations. Providers of childcare on domestic or non-domestic premises require a separate registration for each set of premises where care is provided.
22. Applicants other than childminders and home childcarers may be one individual person or organisations such as:
 - partnerships
 - companies
 - committees
 - statutory bodies
23. The individual or organisation providing the care is the registration holder, known as the registered person.
24. If you are an individual who wishes to provide childcare you must make the application yourself. You cannot get another person or agency to do this for you. This is the case whether you are a childminder, a home childcarer or wish to provide the childcare on domestic or non-domestic premises. We do not register organisations that supply staff to care for children in the child's own home, such as nanny agencies, because the law requires each individual carer to complete an application and register in their own name.
25. When the registered person is an organisation, we ask them to appoint a nominated person to complete the application form (see below).
26. Other than childminders or home childcarers, the registered person does not have to work with children or be involved in the day-to-day organisation of the care if staff are appointed to do this. If you are not a childminder or home childcarer and do not manage the childcare yourself then you must confirm that you have employed a manager to do so on your behalf before we will register you.
27. Registered providers have overall responsibility for the provision of childcare and are legally responsible for ensuring compliance with the requirements of the Childcare Register. Where we have to take action against a registered person who fails to meet requirements set out in law, this can include taking action against individual members of an organisation, such as the committee members. It is important that those people who make up the registered person have a full understanding of the requirements and responsibilities of their role

and the implications arising from it. Each individual must understand and feel confident about their role before accepting such a position.

28. The registered person must have a secure postal address where we can serve legal documents such as certificates of registration. Where the registered person is an organisation, this should be the head office or main business address. Where the registered person is an individual, or an organisation without a separate secure business address, we will accept the home address of the individual applicant or of a person who has the authority to represent the organisation.
29. The registered person may give their consent for certain documents to be sent electronically. In order for notices to be sent electronically, the registered person must provide an address suitable for this purpose. This cannot be a generic email address such as info@nursery.com because the information that we send through this route could be personal information, for example relating to a check that we have carried out on the registered person. The email must be confidential and only accessible to the registered person or their nominated person. If you are registering as a childcare provider and you are buying an existing registered provision or changing your legal entity, then we need you to tell us about this on your application, so that we can contact you separately. This will help to ensure continuity of care for children.
30. If you are not sure if you need to register, or who should complete an application, please contact us on **0300 123 1231**.

The nominated person

31. If you are an organisation, including a group of individuals, applying to provide childcare on domestic or non-domestic premises, you should nominate a person to apply for registration and to represent the organisation in its dealings with us. Normally this should be a committee member, partner, director or someone in a comparable position. We will send all legal documents and correspondence to the nominated person at the organisation's address.
32. Where your organisation's main purpose is not childcare (for example, you are a manufacturing company providing care for the children of your staff) then the nominated person should be the most senior officer of the company who has direct, delegated responsibility for the childcare.

The manager

33. The manager is the person who has actual day-to-day responsibility for the provision. The registered person and the manager may be the same person, but in many cases, the registered person may not want to deliver the day-to-day care or may not have the qualifications, knowledge or experience to do so. In such cases, he or she must appoint a manager to take control of the day-to-day delivery of childcare. This applies to childcare provision on both domestic

and non-domestic premises. As the employer, you are responsible for deciding the suitability of the manager to work or be in regular contact with children.

Not allowed to register

34. You cannot register on either part of the Childcare Register if you:
- only care for a child or children who is/are related to you or for whom you have responsibility, including any foster children. These arrangements are not included in the definition of childcare¹²
 - are a school that provides childcare as part of its activities and at least one of the children attending is a pupil of the school; schools providing childcare for children who are not their pupils and other providers caring for children on a school site may apply as normal
 - provide care as part of your establishment's activities in:
 - a children's home
 - a care home
 - a hospital in which a child is a patient
 - a residential family centre
 - a young offender institution or secure training centre.

Early Years Register

35. Childminders and childcare providers on domestic and non-domestic premises who care for children in the early years age group (aged from birth to 31 August following the child's fifth birthday) must normally register on the Early Years Register. We publish two guides for registration on the Early Years Register: one for childminders and one for providers of childcare on domestic or non-domestic premises.¹³ You may apply for registration on the Childcare Register at the same time as applying for registration on the Early Years Register by using the Early Years Register application form if you wish to provide care for children in the early years age group and older.

Childcare Register

What you must do to be registered

36. Before you can be registered:

¹² You may not apply to register to care for a child if you are the child's parent, grandparent, aunt, uncle, brother or sister (whether of full blood or half blood, or by marriage or civil partnership), or a step parent.

¹³ You can access the following guides on our website or request by ringing 0300 123 1231 – *Guide to registration on the Early Years Register: childminder*, Ofsted, 2012; www.ofsted.gov.uk/resources/120082 and *Guide to registration on the Early Years Register: childcare provider on domestic or non-domestic premises*, Ofsted, 2012; www.ofsted.gov.uk/resources/120083.

- you must make a declaration that you meet, or will meet when starting to care for children, all the requirements of the Childcare Register¹⁴
- you and all those connected with the application to register must give consent for us to carry out checks to see if everyone is suitable to work or be in regular contact with children
- you must have a current first aid certificate and have completed a local authority approved childminder training course (childminders and home childcarers) or someone working with children must have a current first aid certificate (childcare on domestic or non-domestic premises)¹⁵
- you must apply for a criminal records check with the Disclosure and Barring Service
- you must pay the application fee.

How we decide on suitability

37. We will normally accept your declaration that you meet all the requirements for registration. We do not normally carry out a visit or interview to check this. However it is an offence to make a declaration that is false or misleading and we will consider prosecution if you do so.
38. We carry out checks on everyone connected with your application for whom we have to make a decision about suitability. We do this by considering the information on your application form, by asking you to obtain a check known as an enhanced disclosure from the Disclosure and Barring Service for each person, and by checking children's services' records with directors of children's services.
39. If you are applying to become a childminder or home childcarer, you must also send us a copy of a current first aid certificate and if you are only applying to become a childminder, you must confirm that you have completed a local authority approved childminder training course. If you are applying to be registered as a childminder on the voluntary part of the childcare register, you do not have to complete a local authority childminding course, but can choose to do so. If you are applying to provide childcare, you must confirm that at least one person, who must be on the premises at all times when the children are present, has a local authority approved current paediatric first aid certificate.
40. We will also take into account any other information that we hold about you. This will include information that relates to a previous registration you might

¹⁴ Information about these requirements is available in our factsheet *Requirements for the Childcare Register: childcare providers on non-domestic or domestic premises*, Ofsted, 2012; www.ofsted.gov.uk/resources/080143; or *Requirements for the Childcare Register: childminders and home childcarers*, Ofsted, 2012; www.ofsted.gov.uk/resources/080161.

¹⁵ There is more information about first aid in Annex A.

have held, such as information of concern that you may not have complied with a requirement of registration.

41. Every person other than the applicant who requires checking must complete a declaration and consent form (CR2) to allow us to carry out checks and use the information from them to decide on their suitability.
42. It may be necessary in some circumstances for us to visit your premises to interview people or carry out further checks.
43. When we receive your application, we will send you details about how to obtain a Disclosure and Barring Service check for all those connected with your registration where we decide on their suitability.
44. We decide on the suitability of:
 - the nominated person
 - people aged 16 or over living or working on domestic premises where you provide or intend to provide childminding or childcare on domestic premises
 - childminder assistants or childcare staff where you provide or intend to provide childminding or childcare on domestic premises
 - people who are partners, committee members, directors or hold similar roles in an organisation applying to join the compulsory or voluntary part of the Childcare Register as a childcare provider on domestic premises
 - people who are partners, committee members, directors or hold similar roles in an organisation applying to join the compulsory part of the Childcare Register, as a childcare provider on non-domestic premises, where the organisation's main purpose is childcare. If your organisation's main purpose is not childcare (for example, you are a manufacturing company providing care for the children of your staff) then we only check the nominated person.
45. If you, or other people associated with the application, have lived abroad in the past five years you should tell us the countries where you have lived on the application form or declaration and consent form. The Disclosure and Barring Service has reciprocal arrangements with some countries that allow it to check on the criminal history of those who have lived there. Where there is no such arrangement, we will normally require extra evidence of people's suitability if they do not have a continuous history of living in this country. The types of evidence we might ask for include:
 - a certificate of good conduct or police report from the embassy of the country in which you have lived, accompanied where necessary by a certified translation into English
 - a reference from someone of standing in the country in which you lived, such as a doctor or lawyer

- evidence to support any work permit
 - references from past employers.
46. We will contact you, or other people connected with the application, where we need additional evidence. If you are not able to supply sufficient evidence we may have to refuse your registration, as we cannot be sure you are suitable to provide childcare or work with children. If other people connected with the registration do not supply sufficient information or are not suitable we will tell you so, but we cannot give you the details of why they are not suitable. You must then decide whether or not to proceed with the application. We will refuse registration if you allow, or intend to allow, someone whom we consider not suitable to have access to children.

Charges for applying

47. All applicants pay a non-refundable application fee, which is set by the Government.¹⁶
48. Childcare providers on domestic or non-domestic premises registering on both the compulsory and voluntary part of the Childcare Register and childminders on any part of the register and home childcarers also pay a fee to obtain a Disclosure and Barring Service check for themselves and other persons associated with their registration.
49. Providers must also pay an annual fee for continued registration. The Government will set the amount of this fee each year. We will send you a request for payment when this is due.
50. Providers of childcare on domestic or non-domestic premises must pay an application fee and an annual fee for each set of premises where they provide care.
51. Details about fees are available on our website (www.ofsted.gov.uk) or by telephoning us on 0300 123 1231.

Applying to register – the process

Applying online

52. You can apply online on our website¹⁷ through the Ofsted online portal. Access to Ofsted's online services is managed via the Government Gateway. This is a secure system to protect the data and information you give us, used by a number of government departments, such as Her Majesty's Revenue and Customs.

¹⁶ The Childcare (Fees) Regulations 2008 [No.1804];
www.legislation.gov.uk/uksi/2008/1804/contents/made.

¹⁷ <https://online.ofsted.gov.uk/OnlineOfsted/default.aspx>.

53. To apply online you must first sign up for a Government Gateway account, if you do not already have one. You may already have such an account if, for example, you complete your tax return online. Anyone may sign up for a Government Gateway account, either via the Ofsted online portal or through a visit to any other government website that uses the Gateway.
54. Once you have an account, you can access a range of Ofsted services including an online application for the Early Years and Childcare Register.
55. Other people associated with your application for example, household members, must complete a declaration and consent form. The form gives a declaration about their suitability to be in contact with children and allows us to use information from checks to make a decision about their suitability. These forms are available on our website.¹⁸ If you are applying to provide childcare on domestic premises and you do not intend to manage the provision yourself, we will also contact you about how to check your manager.
56. You can download the application form from the Ofsted website or ask us for an application form to complete. Application forms are available from our National Business Unit by telephoning **0300 123 1231** or writing to us at Ofsted's National Business Unit, Piccadilly Gate, Store Street, Manchester M1 2WD. We will help you to complete your application if you have problems with either of these methods of applying. You can also ask your local authority for help.¹⁹
57. Whatever way you apply, we will write to you to let you know we have received your application. The letter will include details on how to:
 - obtain an enhanced Disclosure and Barring Service check through Capita, for yourself and others associated with your application
 - obtain an enhanced Disclosure and Barring Service check for the staff of childcare providers on non-domestic premises (Annex B gives more information)
 - arrange a check of your identity and any other information we need²⁰
 - pay the non-refundable application fee
 - provide any further information we need to decide on your suitability to provide childcare.
58. Your application is not complete until we have received your application form and all other relevant forms associated with your application, such as

¹⁸ *Childcare registration form - Declaration and consent form for all individuals connected with a registered provision (form EY2)*, Ofsted, 2012; www.ofsted.gov.uk/resources/formEY2.

¹⁹ Local authorities have responsibility for providing advice and support to applicants and childcare providers.

²⁰ You should ensure that a relevant first aid certificate and identity documents are available before you apply. Please see annex A for guidance on first aid certificates.

declaration and consent forms (CR2);, a first aid certificate; and you have paid the application fee. Once we have received your completed application, and you have paid the fee, we will carry out checks on you and any others connected with the application.

59. If you have confirmed that you meet the relevant requirements, and we find everyone associated with your registration is suitable to work or be in contact with children, we will register you. Otherwise, we will refuse your registration. The process takes about 12 weeks, and may take longer if you have to provide references from abroad. It can take less time if we have already carried out checks with local authority children's services departments or already have an Ofsted generated Disclosure and Barring Service checks on some or all of the people connected with the application.

Applying for a criminal check with the Disclosure and Barring Service

60. All Ofsted's Disclosure and Barring Service checks are processed by Capita. Once an applicant submits an application to Ofsted they are directed to the Capita website: <http://ofsteddbapplication.co.uk>. In order to apply for a check the applicant must have the Capita Organisation Reference Number. This is:

- "OfSTEDP" - for those applying for or linked to a new EY application for registration. This includes everyone that makes up the registered person; the nominated person and manager of a child care setting; any staff or persons caring for children; and any household members of those aged 16 years and over who are connected to a childminding application.
- "OfSTEDA" - for those applying to be associated to a provision that is already registered. This includes changes to any of the above.

61. The Capita website provides guidance on how to apply for a check including information about the online subscription service and checking ID by a 'responsible person' or at the post office. The childcare applicant and any individual that is required to have a criminal records check will receive their hard copy disclosure in the post.

Things that could prevent you from being registered

62. We ask applicants to complete their form very carefully and accurately so that we can make a decision based on the information in the application and other checks we carry out. We can decide not to register you if you are disqualified, are unsuitable, fail to pay the fee or do not agree to the requirements of the register.

Disqualification

63. Some people are disqualified from registration or from working with children, for example if they have committed certain offences. We cannot register you to provide childcare if:
- you are disqualified
 - anyone who is part of the organisation applying to provide registered childcare, such as a partner, director or committee member, is disqualified
 - you, or anyone who is part of the organisation, live with someone who is disqualified
 - someone who lives on the premises where childcare is provided is disqualified.
64. You cannot employ anyone to work with children if they are disqualified or live with a disqualified person. It is an offence for a person registered on the compulsory part of the Childcare Register to employ someone who they know is disqualified.
65. People are disqualified from registration if they have, or anyone they live with has been:
- found to have committed a relevant offence against a child²¹
 - subject to an order or determination removing a child from your care or preventing a child from living with you
 - found to have committed certain offences against an adult (for example murder, kidnapping, rape, indecent assault, assault causing actual bodily harm)
 - charged with certain offences against an adult, or an offence that is related to an offence, and had a relevant order imposed
 - included on the list of those who are barred from working with children, held by the Disclosure and Barring Service²²
 - made the subject of a disqualification order²³

²¹ 'Found to have committed' means a person has been: a) convicted of an offence; b) found not guilty of an offence by reason of insanity; c) found to be under a disability and to have done the act charged against them in respect of such an offence; or d) on or after 6 April 2007, given a caution in respect of an offence by a police officer after admitting that offence. A person is found to have committed an offence that is 'related to' an offence if that person has been found to have committed an offence of a) attempting, conspiring or incitement to commit that offence; or b) aiding, abetting, counselling or procuring the commission of that offence (The Childcare (Disqualification) Regulations 2009). 'Given a caution' includes a reprimand or warning for an offence (Childcare Act 2006, section 75(6)).

²² The Disclosure and Barring Service is set up under the Safeguarding Vulnerable Groups Act 2006.

²³ Part II of the Criminal Justice and Court Services Act 2000 gives the power to a senior court (Crown Court, the Court of Appeal, a court-martial or the Court-Martial Court) to make an individual the

- refused registration as a childcarer previously or have had registration cancelled, other than cancellation for non-payment of the fee for continued registration after September 2008²⁴
 - refused registration as a provider or manager of a children's home or have had registration cancelled.
66. If you think that you, someone in the organisation you represent, or a person you are considering employing, may be disqualified, you can talk to us confidentially by ringing **0300 123 1231**.²⁵
67. In some circumstances, the disqualified person may apply to us to waive the disqualification. Please contact us if you wish to apply for a waiver. Each individual must apply for a waiver in her or his own right. You cannot apply on behalf of someone else.
68. If you wish to employ someone you know is disqualified, they must first apply to us to waive disqualification. Only if we agree to do so can you employ them to care for children. A full list of all the circumstances that disqualify people from working with children is available in regulations.²⁶
69. We cannot normally waive a disqualification if the person is included on the list of people barred from working with children held by the Disclosure and Barring Service.²⁷ The only exception to this is where the disqualification relates to someone who lives with anyone who makes up part of the registered person. In these cases we may waive disqualification if it is appropriate to do so.

Suitability

70. Sometimes we refuse registration because an individual is unsuitable or is unable to provide sufficient evidence of her or his suitability (see the section titled 'How we decide on suitability' above).
71. Before we do this we will normally do one or more of the following:
- ask you or the individual concerned for extra information
 - carry out additional checks

subject of a disqualification order if, in its opinion, the convicted individual is likely to commit offences against children.

²⁴ This applies from 6 April 2007 for those providers whose registration on the voluntary part of the Childcare Register was cancelled solely for non-payment of the fee for continued registration.

²⁵ There is more information about disqualification and waiver in our leaflet *Applying to waive disqualification*, Ofsted, 2012; www.ofsted.gov.uk/resources/080054.

²⁶ The Childcare (Disqualification) Regulations 2009, OPSI, 2009: www.legislation.gov.uk/uksi/2009/1547/contents/made.

²⁷ Further information about the Disclosure and Barring Service is available from: <https://www.gov.uk/government/organisations/disclosure-and-barring-service/about>.

- interview you or the individual concerned.

Failure to pay the fee

72. Your application is not complete until we receive the non-refundable application fee.

Failure to agree to the requirements of the register

73. We will refuse registration if you are unable to agree that all the requirements listed on the application form will be in place by the time you provide registered childcare.

Refusing registration

74. If we are going to refuse your application, we will first write to you to let you know that this is our intention. We do this in a letter called a notice of intention. This is a legal document that sets out the reasons why we intend to refuse registration. You have a right to object to our intention to refuse registration and we will tell you how to do this in the letter we send you. If you do object, we will consider your objections and then write again to tell you whether or not we still decide to refuse registration.
75. If you do not object, or if after you object we still decide to refuse registration, we send you a second letter called a notice of decision, which gives our final decision to refuse registration. Refusal of registration is a serious step that disqualifies you from providing childcare in the future.
76. You have the right to appeal against our decision to an independent external body, the Health, Education and Social Care Chamber First Tier Tribunal. We will send you a leaflet on how to object and appeal if we intend to refuse registration.²⁸

Withdrawing an application to register

77. You may change your mind about continuing your application to register at any time during the registration process up to the granting or refusing of registration, but the application fee is not refundable. You must tell us if this is what you decide so that we may stop the registration process. We will write to you to confirm receipt of your withdrawal. If you do not tell us that you want to withdraw your application then we will continue the process and may have to refuse your application for registration if you do not meet the requirements of registration. Refusal of registration is a serious step that disqualifies you from providing childcare in the future.

²⁸ Information about *Objections and appeals* is available on our website: www.ofsted.gov.uk/resources/ciehandbook_objections_appeals.

After registration

78. When we grant your application for registration, we issue a certificate. This is your proof that you are registered on the Childcare Register. You may not begin caring for children, where compulsory registration is required, until you receive your certificate. Childminders and providers of childcare on domestic or non-domestic premises must display the certificate on the premises so parents can read it. Home childcarers must show the certificate to parents on request.
79. If you lose or destroy your certificate, you will need to pay a charge to get a replacement. Details about fees are available on our website (www.ofsted.gov.uk) or by telephoning us on **0300 123 1231**.²⁹
80. Sometimes we might include conditions on your certificate of registration. Conditions restrict or provide permission for the provider to operate in a particular way. We can add new conditions, change existing ones or remove conditions at any time during your registration. If you do not agree with any conditions we impose after registration, you have the same rights of objection and appeal as outlined above in the section 'Refusing registration'.
81. Once you are registered, you must continue to meet the requirements for registration that you confirmed on your application form. The full list of requirements is available on our website.³⁰ In brief, these relate to:
- the welfare of the children being cared for
 - the arrangements for safeguarding children
 - the suitability of persons to care for or be in regular contact with children
 - qualifications and training³¹
 - the suitability and safety of premises and equipment
 - how the childcare provision is organised
 - the procedures for dealing with complaints
 - the records to be kept
 - providing information to parents
 - providing information to Ofsted
 - any changes to premises and provision

²⁹ Information about *Your certificate for childminding* is available on our website: www.ofsted.gov.uk/early-years-and-childcare/for-childminders/regulating-early-years-and-childcare/registering-childminder/your-certificate-for-chi.

³⁰ The full requirements are available in our factsheet *Requirements for the Childcare Register: childcare providers on non-domestic or domestic premises*, Ofsted, 2012; www.ofsted.gov.uk/resources/080143 or *Requirements for the Childcare Register: childminders and home childcarers*, Ofsted, 2012; www.ofsted.gov.uk/resources/080161.

³¹ There is more information on qualification and training requirements in Annex B.

- any changes to people
 - matters affecting the welfare of children
 - public liability insurance
 - certificate of registration.
82. If you choose to be included on either part of the Childcare Register you must meet these requirements at all times when providing childcare. All childcare providers must also comply with other relevant legislation including that covering health and safety, disability discrimination, food hygiene, fire and planning requirements.

Inspection

83. We will not carry out an inspection before we grant your application for registration. However, once you are registered, we may inspect you at any time while your registration is current. We will inspect a random selection of all those on the Childcare Register each year and will always inspect if we receive a complaint about your childcare provision that relates to the requirements of registration or any conditions we may have imposed on your registration.
84. If you are a home childcarer we will seek permission from the occupier of the premises where you work to enter the premises and inspect your provision.
85. We inspect providers with little or no notice. You should be ready for inspection at all times by meeting the requirements for registration. If we decide to inspect you, an inspector will visit your provision to check compliance against the requirements and will give you feedback on the outcome of the inspection. If you have not met one or more of the requirements the inspector will tell you what needs to be put right and will explain what happens next. There is more information on inspection in our booklet *Are you ready for your inspection?*³² We will send you information on how to access this with your certificate of registration.
86. At the inspection visit, the inspector will:
- talk to you, the children and any staff members and observe your provision to make sure your policies are being put into practice
 - check registration details and assess your compliance with, and understanding of, the requirements of registration
 - assess the safety of your premises and your risk assessment
 - assess any staff's understanding of policies and procedures
 - look at your recruitment policies, where applicable

³² You can access our guide *Are you ready for your inspection?* Ofsted, 2012 on our website at www.ofsted.gov.uk/resources/120085 or by telephoning 0300 123 1231.

- look at your arrangements for making sure unvetted people do not have unsupervised access to children.
87. Following any inspection, you will receive either a letter confirming that you were meeting your requirements for registration or a letter detailing what must be done in order to remain registered. In line with other inspection reports on childcare, we publish these letters on our website within 15 days of the end of the inspection, and a copy is sent to your local authority. We will also send a copy to the complainant if the inspection resulted from a complaint. The law requires you to:
- give each parent of children attending a copy of the report
 - provide any other person who asks you with a copy of the report.

Compliance with the requirements of the register

88. If, once you are registered, we have reason to believe that you are not complying with the requirements or any conditions of registration; we will take steps to deal with this. In most cases, we can ensure compliance by telling providers what they must do and by when. We call this 'setting actions'. However, we have a range of enforcement measures we can take.³³
89. If we have reason to believe that children in your care are, or may be, at risk of harm, we will suspend your registration. This is to allow time for steps to be taken to reduce or eliminate the risk of harm, or to allow for an investigation into the circumstances that led to our belief. Ultimately we may decide to cancel your registration if it appears to us that you have:
- failed to comply with the requirements of registration, or
 - failed to comply with a condition we have imposed on your registration, or
 - failed to pay the annual fee.³⁴
90. We may, in rare cases, decide to caution or prosecute any registered person who commits an offence under the relevant parts of the Childcare Act 2006. This includes failure to comply with a condition of registration.
91. We will inform other agencies such as the police or local authority if we receive information related to child protection.

³³ There is more information on our enforcement powers in the *Framework for the regulation of provision on the Early Years Register*, Ofsted, 2012; www.ofsted.gov.uk/resources/120288 and the *Framework for the regulation of provision on the Childcare Register*, Ofsted, 2012; www.ofsted.gov.uk/resources/120338.

³⁴ The Childcare (Fees) Regulations 2008.

How we use information related to your registration

92. We will process any personal information we hold about you in accordance with the law and, in particular, the Data Protection Act 1998. Under this Act you can request in writing to see any information we hold about you.
93. We may get information about you from others, for example when we carry out checks, or we may give information to them. We will only do so in accordance with the law. We may check information we receive about you with what is already in our records. This can include information provided by you as well as by others such as other government departments and agencies. We will not give information about you to anyone unless the law permits us to do so.
94. We have a duty to provide information about childcare providers to local authorities, so they can fulfill their role in relation to childcare services in their area, and to Her Majesty's Revenue and Customs in relation to tax credits. We may supply information about childcare providers and applicants for registration to inspection service providers who undertake registration and inspection visits on behalf of the Chief Inspector, other government and local authority departments, for example environmental health.
95. We will also provide details provided in your application form to our inspection service providers who, by law, are permitted to carry out registration processes on behalf of Ofsted.
96. We may also give information to parents who have, or have had, a child looked after by a childcare provider, in response to a written request.
97. We will give information to children's services departments or the police if there are any concerns about the well-being of children in a provider's care.
98. We publish information related to your registration on our website: www.ofsted.gov.uk. This includes the name and address of your provision if you provide childcare on non-domestic premises, any conditions of registration, inspection reports and letters, survey letters and monitoring letters. We publish the name and addresses of childminders and childcare on domestic premises where they give their consent for us to do so. We do not publish the names and addresses of home childcarers. Letters relating to inspection are removed from our website 12 months after the date of inspection.

Resigning registration

99. If you no longer wish to be a registered provider, you need to resign your registration. You should let us know by telephone or in writing that you intend to resign. We will write to you to confirm receipt of your resignation. You should not assume that we have taken you off the register, for example if you do not pay the annual fee. If you do not pay the fee, we will cancel your registration if you do not tell us you want to resign.

100. If you decide to resign when an inspector arrives at your premises, you should tell the inspector of your decision before the inspection begins and complete the resignation request form. You can download this form from the Ofsted website or ask your inspector for a hard copy.

Registration on the Early Years Register as well as the Childcare Register

101. If you are on both registers, we will issue one registration certificate showing that you are registered on the Early Years Register and the Childcare Register.
102. If you are registered on the Early Years Register, we will inspect your compliance with the requirements of the Childcare Register at the same time that we carry out the inspection of the Early Years Foundation Stage. We will include a statement of your compliance with the requirements of the Childcare Register in that report.³⁵
103. We may also carry out a separate inspection of compliance with the requirements of the Childcare Register if we receive information about your childcare provision that relates only to the requirements of registration on the Childcare Register or any conditions we may have imposed on your registration for that register. If this is the case, we will send you either a letter confirming that you were meeting your requirements for registration or a letter detailing what you must do in order to remain registered. In addition to your early years inspection report we will publish this letter on our website within 20 days of the end of the inspection and send a copy to your local authority and to the person who made the complaint.

³⁵ There is more information about inspection of the Early Years Foundation Stage in *Are you ready for your inspection?* available at www.ofsted.gov.uk/resources/120085 or on request by telephoning 0300 123 1231.

Annex A. First aid guidance

It is important that childcare provision is safe. Providers must have measures in place to prevent and minimise injuries to children and take precautions to avoid infection. Regulations for the Childcare Register require the childminder or home childcarer to have an appropriate first aid qualification. Registered providers of childcare on domestic or non-domestic premises must ensure that at least one person caring for children has an appropriate first aid qualification. **First aid provision must be available at all times that children are cared for either on the childcare premises or off the premises on visits and outings.** The registered provider is responsible for ensuring these requirements are met.

This guidance sets out the minimum first aid requirements for most childcare provision. However, it is for the provider to determine whether these minimum standards are appropriate for the type of care they provide and whether more advanced training or qualification is required. For example, childcare that features certain activities such as water sports may need to have more specific first aid training. In these circumstances, we advise that the provider undertakes an additional risk assessment to determine what first aid provision is necessary.

This guidance draws on existing practice and reflects consultation with a voluntary first aid organisation. It provides common questions and answers and includes a checklist of criteria for an appropriate first aid certificate.

This is non-statutory guidance. It does not constitute an authoritative legal interpretation of the provisions, is subject to review, and changes at any time during the year. It also does not replace the existing Health and Safety at Work Act 1974 that places duties on employers for the health and safety of their employees and anyone else on the premises.

Question and answers

What are the requirements?

For a person registering on the Childcare Register, the regulations require that:

- at least one person who is to care for the children for whom the care is to be provided has an appropriate first aid qualification. This means that it is appropriate to the ages of the children in the childcare provision and for the types of activity provided.

Who needs to have a certificate?

If you are applying as a childminder or home childcarer then you must have a current first aid certificate. You need to have this before you apply to us for registration and must keep it up to date at all times by renewing it before it expires.

If you are a childcare provider on domestic or non-domestic premises you do not need to hold the certificate yourself. Instead, you must ensure that at least one person who cares for the children has a first aid qualification and is on the premises at all times while childcare is being delivered and is present on any visits or outings. To meet this requirement you may have to have several members of staff trained. It is good practice for first aiders to:

- be reliable and have good communication skills
- have the aptitude and ability to absorb new knowledge and learn new skills and
- the ability to cope with stressful and physically demanding emergency procedures.

How often does the certificate need to be renewed?

People must renew their first aid certificate every three years after the date the training was completed. You may wish to make sure relevant people undertake refresher courses annually. By the time a certificate expires, the individual will have to undertake another full course of training to become a first aider. You should keep a record of first aiders and certification dates.

How long should a course take?

There is no set minimum length of time for a first aid course for the Childcare Register. Many standard courses take 12 hours to complete. It may be possible for you to undertake, or arrange for others to undertake, an intensive course in less than 12 hours. However, you must ensure that the course covers all of the criteria specified below and has adequate practical training. The outcomes of the course should be that the person receiving the training can demonstrate independently how they would handle each of the conditions specified below.

People who are renewing their certificate after three years may feel that a shorter course will suffice. However, you should ensure that it still covers all of the criteria specified and provides sufficient practical training to refresh skills and learn any new techniques.

What is a sufficient level of practical training?

First aid courses should offer the opportunity to practice practical techniques – for example resuscitation – until individuals feel comfortable performing all of the techniques independently.

What is an appropriate first aid certificate?

You must determine whether your first aid training or that of your staff is appropriate based on the type of care you provide. An 'appropriate' first aid certificate will depend on the type of provision offered. For example, first aid suitable for a nanny caring for young children may be different to an activity-based provider caring for

older children. As a minimum, a certificate should meet the criteria set out below. You must consider whether it would be appropriate to have additional training based on what you provide.

Childcare that features certain activities or that provides for children with disabilities may need to have specific first aid training. You are responsible for determining whether specific additional first aid training is needed and you may want to contact your relevant professional body for advice on what they recommend.

Who needs paediatric and who needs adult first aid certificates?

The need for a paediatric or an adult first aid certificate will depend on the ages of the children you care for. If you care for children who have not yet reached puberty you should have a paediatric first aid certificate. If you care for children who have reached puberty you should have an adult first aid certificate. If you care for a wide age range of children, you may need to have, or employ staff with, both adult and paediatric training.

How do I know which certificates will be accepted for registration?

We will accept any certificate that meets the minimum criteria below for registration. However, you are responsible for determining whether specific additional first aid training is needed.

How will you inspect first aid certificates?

You are responsible for demonstrating to us that you have met all of the registration requirements. As part of an application, you must declare that you have met the first aid requirements and provide us with a copy of the certificate. If you are a childminder or home childcarer this must be your own certificate. If you are applying as a childcare provider on domestic or non-domestic premises this may be the certificate of a member of staff who will be responsible for first aid.

When we inspect providers to check that the requirements are being met, the inspector will expect to see the first aid certificates of the relevant member(s) of staff (those who are caring for children and have first aid certificate(s) at that point). We may also request further details of the course content or evidence that it is local authority, Office for the regulator of qualifications, examinations and assessments in England (Ofqual) approved.

What additional first aid equipment and materials are required?

You must have available proper materials and equipment, which should be clearly labelled, secured away from children and easily accessible to the first aider. You may need additional first aid equipment if you are providing sports activities or high risk activities.

There is no mandatory list of items for a first aid box. However the Health and Safety Executive website provides some helpful guidance on the minimum provision of first-

aid items (where there is no special risk identified)
www.hse.gov.uk/firstaid/faqs.htm.

Criteria for an appropriate first aid certificate

1. General first aid certificates that are the normal requirements for employers, although required in work settings, are **not** sufficient for working with children and babies.
2. For settings that provide care to children who have not reached puberty, childcarers should have a paediatric first aid certificate.
3. For settings that provide care to children who have reached puberty, childcarers should have an adult first aid certificate.
4. The certificate should be appropriate to the nature of the childcare provided, for example, particular types of activities may need specific additional first aid training.
5. Training should be designed for workers caring for children in the absence of their parents.
6. The certificate must be renewed every three years after the date the training was completed.
7. All training should be approved by a local authority.
8. The training must include sufficient practical training.
9. Resuscitation and other equipment should include baby and junior models as appropriate.
10. Training should cover appropriate contents of first aid kit.
11. Training should include recording accidents and incidents.
12. The course should include learning outcomes covering the following areas:
 - planning for first aid emergencies
 - dealing with emergencies
 - resuscitating
 - recognising and dealing with shock
 - recognising and responding appropriately to anaphylactic shock
 - recognising and responding appropriately to electric shock
 - recognising and responding appropriately to bleeding
 - responding appropriately to burns and scalds

- responding appropriately to choking
- responding appropriately to suspected fractures
- responding appropriately to head, neck and back injuries
- recognising and responding appropriately to cases of poisoning
- responding appropriately to foreign bodies in eyes, ears and noses
- responding appropriately to eye injuries
- responding appropriately to bites and stings
- responding appropriately to effects of extreme heat and cold
- responding appropriately to febrile convulsions
- recognising and responding appropriately to the emergency needs of chronic medical conditions including: epilepsy, asthma, sickle cell, diabetes
- recognising and responding appropriately to meningitis and other serious sudden illness.

Annex B. Assessing the suitability of staff

As part of the application process for the Childcare Register, you must carry out suitability checks on the individual applicant/nominated person and for childcare on domestic premises the manager of the childcare provision. You must also carry out checks on people such as partners, committee members and directors who are part of an organisation applying to join the compulsory part of the Childcare Register where the organisation's main purpose is childcare.

Childcare on domestic premises

If you are applying to provide childcare on domestic premises, you must also carry out checks on individuals who make up the registered person, individuals living or working on domestic premises where the childcare is provided who are aged 16 and over, and also on childcare assistants. After registration you must also carry out suitability checks if there is a change to those living or working on the premises. For example if there is a change of assistants on domestic premises or if there is a change to people living or working on the domestic premises where childcare is provided, such as where someone living in the household turns 16. If you do not intend to manage this type of provision yourself we will contact you about checking your manager.

Childcare provision on non-domestic premises

The applicant/registered provider is responsible for assessing staff suitability by carrying out checks on the manager, childcare staff and any person living or working on the premises where childcare is provided, such as cooks and caretakers.

What this means for you

The applicant/registered provider on non-domestic premises is responsible for having suitable vetting processes in place to safeguard children. You must have in place rigorous vetting and recruitment procedures. These procedures must ensure that those who work for you, or who work or live on the premises where you provide childcare, are suitable for both employment and to work or be in regular contact with young children. You need to undertake any necessary checks that provide you with sufficient information on which to base your employment decision. One of those checks must be a check with the Disclosure and Barring Service, which will include a check against the list of people who are barred from working with children. You can check this at the same time as obtaining an enhanced Disclosure and Barring Service disclosure.

When making your decision, you should carefully consider any information that is revealed about a person as a result of any check. When considering such matters you may wish to think about:

- what information the individual disclosed
- the circumstances surrounding the event

- the person's level of involvement in the event
- the age of the person at the time of the event
- previous and subsequent good character
- any other mitigating circumstances.

Where you are not able to carry out such checks, for example because you do not have the authority to check those who live on the premises, you must make sure that they cannot have unsupervised access to children.

Applying for Disclosure and Barring Service checks

All people who work directly with children must have an enhanced Disclosure and Barring Service check. To obtain this, you will need to do one of the following:

- contact Capita, they are the organisation that will undertake all DBS checks on Ofsted's behalf. All checks will be processed online through the Capita website. You can access information on how to apply for a check on the Capita website:

<http://ofsteddbapplication.co.uk>.

-
- register with the Disclosure and Barring Service as a body authorised to carry out checks; this option is normally only available to large organisations which carry out a large number of checks.

Capita will answer all queries that relate to how DBS checks are processed or any problems with accessing the online application. Applicants should go to:

<http://www.capitarvs.co.uk/guidance-on-completing-an-online-disclosure-application-form-self-employed>

Applicants can email Capita on: db.enquiries@capita.co.uk People who are disqualified

Some people are not allowed to work with children because they are disqualified from doing so. It is an offence to employ someone who you know is disqualified from working with children.

We have set out some of the things that disqualify people from working with children on page 18 above.

If you think that someone you are considering employing has a conviction that may disqualify them from working with children, you can talk confidentially to us by calling our helpline on **0300 123 1231**. You can find out more about the details of what disqualifies people from working with children in the regulations relating to

disqualification. A full list of all the circumstances that disqualify people from working with children is available in regulations.³⁶

People who are disqualified may still sometimes work with children by applying for a waiver from Her Majesty's Chief Inspector. If you want to employ someone who is disqualified, or discover that someone you employ is disqualified, then you must tell us. The person must apply to us to have the disqualification waived. We will make a decision about whether to waive the disqualification but will not make the employment decision. If we decide to waive the disqualification, as an employer you must still carry out the required vetting to make a decision that the person is suitable to work or be in contact with children.

We cannot normally waive a disqualification for anyone who you intend to employ if they are included on the list of people who are barred from working with children held by the Disclosure and Barring Service.³⁷ The only exception to this is where the disqualification relates to someone who lives with anyone that makes us the registered person. In these cases, we may waive disqualification if it is appropriate to do so.

What we look for

We will assess how well you make decisions about the suitability of your staff during our regular inspections of childcare providers. As part of the inspection, the inspector will look for evidence that you have secure procedures for vetting and recruiting staff and that any person who has not been vetted is never left alone with the children.

All those who apply for registration must undertake full checks on all proposed staff and make a judgement on suitability prior to registration being granted. We will make the decision about whether the applicant and manager are suitable to work with children. We will not make the employment decision about the manager.

During the registration process, or at inspection, we may ask you to provide evidence of:

- an enhanced Disclosure and Barring Service check including the number and date of issue following the Disclosure and Barring Service code of practice on handling disclosures
- references
- full employment history
- qualifications
- interviews
- medical suitability

³⁶ The Childcare (Disqualification) Regulations 2009, OPSI, 2009; www.legislation.gov.uk/ukxi/2009/1547/contents/made.

³⁷ Further information about the Disclosure and Barring Service is available from: <https://www.gov.uk/government/organisations/disclosure-and-barring-service/about>

- any other checks you have undertaken.

We may also ask individual members of staff to show their Disclosure and Barring Service check.

When asking for evidence of the above, we will not determine the suitability of members of staff working for you. However, if we are not satisfied that you are acting in accordance with the requirements of registration on the Childcare Register, and other legal requirements in relation to the recruitment and vetting of staff, we will assess your continued suitability to provide childcare. If necessary, we will take action to safeguard the welfare of children.

Annex C. Qualifications and training

The compulsory part of the Childcare Register

Regulations set out the qualification requirements for the compulsory part of the Childcare Register.³⁸ For those applying as childcare providers those qualifications are:

- the manager has an appropriate level 3 qualification
- at least half of the remaining staff have an appropriate level 2 qualification.

For those applying as childminders, the applicant:

- must complete a local authority approved training course before they can achieve registration.

In the absence of any definitive list of qualifications for the compulsory part of the Childcare Register we will accept any qualifications that are full and relevant for the Early Years Foundation Stage as also relevant for the compulsory part of the Childcare Register, especially where provision is registered on both the Early Years and Childcare Register.³⁹ We will also accept any qualifications that are awarded at level 2 and 3⁴⁰ in an area appropriate to the care offered such as play qualifications, qualifications relating to working with children with learning difficulties and disabilities and classroom assistant qualifications.

The voluntary part of the Childcare Register

Regulations⁴¹ set out that providers on the voluntary part of the Childcare Register must ensure that at least one person who is caring for children has either:

- a qualification at a minimum of level 2 in an area of work relevant to the childcare,⁴² or
- successfully completed training in the core skills as set out in the document *Common Core of skills and knowledge for the children's workforce*.

It is not necessary for the registered person to have this training. It could be another member of staff. In larger childcare organisations, it is good practice to have more than one person trained.

³⁸ The Childcare (General Childcare Register) Regulations 2008, OPSI, 2008; www.legislation.gov.uk/uksi/2008/975/contents/made.

³⁹ Applicants can check if any qualification they hold is on the database by checking online at <https://www.education.gov.uk/eypqd/qualification-search.aspx>.

⁴⁰ As set out by the Department for Education: <https://www.education.gov.uk/eypqd/qualification-search.aspx>.

⁴¹ The Childcare (General Childcare Register) Regulations 2008, Schedule 6, (12); www.legislation.gov.uk/uksi/2008/975/contents/made.

⁴² As set out in by the Department for Education.

The Common Core of skills and knowledge

The Common Core is not a qualification. It is a set of common values for people who work with children and young people, which promote equality, respect diversity and challenge stereotypes, helping to improve the life chances of all children and young people and to provide more effective integrated services. All people working with children, including those on the voluntary part of the Childcare Register, should have the skills and knowledge relating to these values, to ensure that they provide effective care to the children they are responsible for.

There are six areas that constitute this set of values:⁴³

- effective communication and engagement
- child and young person development
- safeguarding and promoting the welfare of the child
- supporting transition
- multi-agency working
- sharing information.

Acceptable training and qualifications

We will currently accept all qualifications as full and relevant for the Early Years Register at level 2 or above as meeting the requirements for the voluntary part of the Childcare Register. We will also accept any qualifications that are awarded at level 2⁴⁴ in an area appropriate to the care offered. These include play qualifications, qualifications relating to working with children with learning difficulties and disabilities, sports qualifications, qualifications for youth work and classroom assistant qualifications.

The following programmes all meet the requirements of the Common Core:

- Revised Learning Mentor initial training programme
- Early Years Professional Status
- Early Years Sector Endorsed Foundation Degree
- Foundation Degree in Working with Young People and Young People services.

We will also accept any other training or qualification providing the childcare provider can demonstrate that it is Common Core compliant.

⁴³ <https://www.education.gov.uk/publications/standard/publicationDetail/Page1/RW63>

⁴⁴ As set out by the Department for Education.

How do I know if my training meets the Common Core requirements?

You should refer to the guidance *Common Core of skills and knowledge for the children's workforce* to check whether the training you have undertaken, or someone working for you has undertaken, covers the skills and knowledge specified in the document.

The organisation that delivered the training or the awarding body that accredited the qualification may also be able to confirm if their training or qualifications reflected the Common Core. Course material or learning portfolios may also help individuals to assess whether or not their training covered the six Common Core elements.

How do I demonstrate to you that my training meets the Common Core requirement?

If you are confident that you, or someone you intend will work with children in your childcare provision, have had training in all of the Common Core areas you can apply for registration on the voluntary part of the Childcare Register. As part of the application you will need to confirm that you – or staff working for you – have had this training. You also need to be able to demonstrate that you meet this requirement at any time we visit the setting to check compliance with the requirements of the voluntary part of the Childcare Register. To do this you may need to produce course certificates and/or details of the course content. We will also be looking for evidence that the skills and knowledge are put into practice.

Will I need to undertake further training?

It is good practice for childcare providers to take part in continuous training and development to ensure that they are up to date with the latest thinking and techniques. If your training or qualification was last undertaken several years ago, there may be parts of the Common Core it did not cover, in which case additional training may be required.

How can I obtain training in the Common Core?

The Common Core is included in many existing accredited childcare qualifications and is covered in a wide range of training provided through employers, local authorities and other training providers, such as colleges of further education. The availability of training will vary depending on local provision and on the individual requirements of candidates.

Where can I get further information about availability of training?

There are a number of ways you can find out about relevant training in your area. You can contact your local authority children's services department in the first instance for advice on local arrangements and training that may be available to help you meet the registration requirements. Local authorities have a duty to provide

information, advice and training to childcare providers. Training providers, such as colleges of further education and work based learning providers, may also be able to advise on what training is available locally.