

Guide to registration on the Early Years Register: childminder

Age group: 0–5

Published: July 2013

Reference no: 120082



Corporate member of
Plain English Campaign
Committed to clearer communication

361

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/120082.

Interested in our work? You can subscribe to our website for news, information and updates at www.ofsted.gov.uk/user.

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. 120082

© Crown copyright 2013



Contents

What do we mean by...?	4
Introduction	9
Why childminders are registered on the Early Years Register	9
Who needs to register	10
Childcare Register	10
The requirements for registration on the Early Years Register	11
Other agencies	13
Charges for applying	13
What could prevent you from becoming a childminder	14
The application process	15
Next steps	20
Preparing for the visit	21
After the registration visit	25
Withdrawing your application	26
What you need to tell us about once you are registered	27
The records, policies and procedures you must keep	27
Corporal punishment	27
Paying the annual fee	28
Continuing registration	28
Inspection	28
Other visits	29
How we use the information related to your registration	30
Resigning your registration	31
Annex A: Registration on the Childcare Register	32
Annex B: Further information	34

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 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 good quality integrated care and education for children from birth to 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

¹ There is more information about reward in our factsheet *Childminding between friends*, available at: www.ofsted.gov.uk/resources/factsheet-childcare-childminding-between-friends

² Please refer to the later definition of domestic premises.

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.

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).

You can find more information in our *Guide to registration on the Childcare Register*⁴ or from your local family information service.⁵

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

³ Please refer to the later definition of domestic premises.

⁴ *Guide to registration on the Childcare Register* (080032), Ofsted, 2012; www.ofsted.gov.uk/resources/080032.

⁵ The National Association of Family Information Services website: www.nafis.org.uk/index.php?option=com_comprofiler&task=userslist&listid=2&Itemid=73.

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 31 August following their fifth birthday who attend early years settings that deliver the Early Years Foundation Stage.

Early Years Foundation Stage

The statutory framework for the early education and care of children from birth to 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.

There is more information on the Early Years Foundation Stage on the Department for Education and Foundation Years websites.^{6,7}

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:⁸

- 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 school⁹

⁶ The Department for Education website: www.education.gov.uk/childrenandyoungpeople/earlylearningandchildcare/delivery/education/a0068102/early-years-foundation-stage-eyfs.

⁷ The Foundation Years website: www.foundationyears.org.uk/early-years-foundation-stage-2012.

⁸ *Registration not required: a childcare factsheet* (080134), Ofsted, 2011; www.ofsted.gov.uk/resources/080134.

- 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.

You can find more information about registration on the Early Years Register on our website <http://www.ofsted.gov.uk/early-years-and-childcare/for-childminders/regulating-early-years-and-childcare-applying-be-provider> or from your local family information service.

Early years settings

Childminders, day nurseries, playgroups and any other settings that are registered 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.

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 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 1 September following their fifth birthday to the day they reach the age of 18.

⁹ 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.

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.

Self-evaluation form

An optional form that we provide to help those on the Early Years Register record the outcomes of their evaluation of their provision. Inspectors will discuss how providers evaluate their provision during inspection, whether or not they choose to use the Ofsted form. The Ofsted self-evaluation form is available on our website¹⁰ or on request by telephoning **0300 123 1231**.

¹⁰ Early Years Register self-evaluation form and guidance: www.ofsted.gov.uk/early-years-and-childcare/for-early-years-and-childcare-providers/inspecting-early-years-and-child-5.

Introduction

1. This guidance provides you with practical information about registration on the Early Years Register. It is not authoritative legal advice.
2. It will help you decide whether to apply for registration. It explains what processes your application will go through before we can decide whether you are suitable to be registered as a childminder on the Early Years Register.
3. The registration process looks at your ability and suitability to deliver the Early Years Foundation Stage. The Early Years Foundation Stage is a comprehensive framework that sets the standards for learning, development and care of the early years age group: children aged from birth to 31 August following their fifth birthday. Once you are registered, we will continue to assess your ability and suitability to provide childcare through regular inspections. There is more information on inspection in our booklet *Are you ready for your inspection?*¹¹
4. This guidance also has information on the Childcare Register to help you decide whether you want to be placed on this register as well as the Early Years Register.

Why childminders are registered on the Early Years Register

5. We register early years childminders to:
 - protect children and keep them safe
 - ensure that childminders meet the requirements of the Early Years Register
 - ensure that they contribute to children's well-being: that is, they promote children's good health and safety; and help them develop the skills and attributes to be successful in their later lives, enjoy what they do and achieve well in relation to their starting points¹²
 - promote high quality in the provision of care and learning and development
 - provide reassurance to parents.

¹¹ *Are you ready for your inspection?* (090130), Ofsted, 2012; www.ofsted.gov.uk/resources/090130. It is also available by telephoning 0300 123 1231.

¹² *Framework for the regulation of those on the Early Years and Childcare Registers* (080024), 2010; www.ofsted.gov.uk/resources/080024.

Who needs to register¹³

6. You must register on the Early Years Register if you intend to:
 - provide care at any time – day or night – for children in the early years age group
 - look after at least one child for a period of more than two hours in any day on domestic premises for reward.
7. In some circumstances, the law **does not require** you to register. In other circumstances it **does not allow** you to register. The circumstances in which you are not required to register with us are set out in the *Registration not required* factsheet on our website.
8. You must register as **childcare on domestic premises** when the number of people who care for children on any domestic premises exceeds three in any one day. This includes situations where four or more people work together as registered providers or one or more providers employ assistants to help them and the total number of people on the domestic premises looking after children is four or more.

If you intend to work with three or more other people at any time, you **must** register as a childcare provider on domestic premises. We have different guidance if you want to provide this type of care; please refer to our *Guide to registration on the Early Years Register: childcare provider on domestic or non-domestic premises*.¹⁴ To apply as a childcare provider on domestic premises you should complete an application form (EYO) for that type of care. You can complete the form online on our website or download the form, complete it in hard copy and send it to us.

9. If you are not sure whether you need to register, please contact us on **0300 123 1231**.

Childcare Register

10. As well as the Early Years Register we administer the Childcare Register, which has a compulsory and a voluntary part. The application form for the Early Years Register includes a section where you can apply to register on the Childcare Register without completing a separate form or paying an additional fee. It is a good idea to decide whether or not you need to join the Childcare Register before applying for registration on the Early Years Register. You must read the *Requirements for registration on the Childcare Register*, available on our

¹³ Childcare Act 2006; www.legislation.gov.uk/ukpga/2006/21/contents and The Childcare (Exemptions from Registration) Order 2008; www.legislation.gov.uk/uksi/2008/979/contents/made.

¹⁴ Guide to registration on the Early Years Register: childcare provider on domestic or non-domestic premises (080017), Ofsted, 2012; www.ofsted.gov.uk/resources/080017.

website,¹⁵ if you want to apply to join the Childcare Register as well as the Early Years Register.

11. You **must** register on the compulsory part of the Childcare Register if you want to provide care for children aged from 1 September following their fifth birthday up to the age of eight, unless the care you intend to offer is exempt from registration. If the care you offer is exempt from registration you may, in some circumstances, choose to register on the voluntary part of the Childcare Register.
12. If you want to care for children aged eight and over, you may **choose** to register on the voluntary part of the Childcare Register.
13. You may also **choose** to be on the voluntary part of the Childcare Register if you wish to work as a home childcarer. Home childcarers look after children in their own home and are normally nannies.
14. You must not act as a childminder for children aged under eight without being registered unless you are exempt from doing so. If you do, this may lead to prosecution. For further information on exemption please see paragraph 7 and refer to the *Registration not required* factsheet.

The requirements for registration on the Early Years Register

Deciding about registration

15. Before you can be registered you must show us that:
 - you, and every other person looking after children on the premises with you, are suitable to care for children in the early years age group
 - every person living or working on the premises is suitable to be in regular contact with children in the early years age group
 - the premises are suitable for looking after children in the early years age group and have enough space for the number of children you want to care for – childminding can take place in many different types of home including, for example, high-rise flats or mobile homes
 - you have completed a first aid course and a local authority approved training course designed to help you understand and implement the Early Years Foundation Stage

¹⁵ <http://www.ofsted.gov.uk/resources/factsheet-childcare-requirements-for-childcare-register-childminders-and-home-childcarers>

- you meet, or will meet, all the safeguarding and welfare and learning and development requirements of the Early Years Foundation Stage, all regulations and any conditions of registration imposed by us.

Deciding about suitability

16. We will carry out a number of checks on you and other people connected with your registration. We also ask you to carry out a criminal records Disclosure and Barring Services check through Capita. These are explained later in this guidance. We will also talk to you during the registration visit about any issues arising from the checks or your application form, and may interview separately anyone else who we check.
17. 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 have held, including whether that raised concerns relating to your suitability.
18. If you or other people associated with the application have lived abroad in the past five years you must tell us the countries you have lived in on the application form or the 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.
19. 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 will 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.
20. You must also hold a paediatric first aid certificate and have completed a local authority approved childminder training course before we can register you. Your local authority can advise you about suitable courses. There is more

information about the help your local authority can provide later in this guidance.

Suitable premises

21. We will visit your premises as part of the registration process. We may also seek advice from other agencies, such as fire authorities, and ask you to carry out any recommendations they make. There is more information about your premises in paragraph 67.

Other agencies

The local authority

22. Your local authority can provide you with support, advice and training throughout the registration process. Some local authorities provide pre-registration briefing sessions for prospective applicants. These sessions will help you to decide whether you wish to apply and provide more information about the support and advice they offer. Local authorities also make sure that appropriate training, including first aid training, is available for you.

Environmental health

23. You may wish to seek advice from your local authority environmental health department to ensure that you are aware of, and comply with, your legal obligations under the Health and Safety at Work Act 1974, the Food Safety Act 1990 and all associated legislation.

Fire safety

24. You can seek advice and general information on fire safety matters from your local fire authority.

Planning permission

25. You may need planning permission from your local planning department to run a business as a childminder. You should check with your local authority whether this is the case.

Charges for applying

26. There is a non-refundable fee to apply for registration and an annual fee is payable each year on the anniversary of your registration. The amount is set by the government. You can find information about fees on our website.¹⁶ There is

¹⁶ *Paying fees for application and continued registration on the Early Years Register and Childcare Register* (100157), Ofsted, 2011; www.ofsted.gov.uk/resources/100157.

only one fee to pay if you apply to register on the Early Years Register and also want to be on the compulsory or voluntary part of the Childcare Register.

Things that prevent you from becoming a childminder

27. Certain circumstances disqualify you from registering as a childminder. These circumstances relate not only to you but to people you live with. If you live with someone who is disqualified then this means that you are also disqualified.
28. You **may** be disqualified from registration if you, or a person who lives with you, have been:
 - found to have committed a relevant offence against a child¹⁷
 - 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 or 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 Service¹⁸
 - made the subject of a disqualifying order
 - refused registration as a childcare provider previously or have had registration cancelled, unless the cancellation was only for non-payment of the fee for continued registration after 1 September 2008¹⁹
 - refused registration as a provider or manager of children's homes or have had registration cancelled.

¹⁷ '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)).

¹⁸ The DBS was established under the Protection of Freedoms Act 2012 and merges the functions previously carried out by the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA).

¹⁹ From 6 April 2007, this applies to those providers whose registration on the voluntary part of the Childcare Register was cancelled solely for non-payment of the fee for continued registration.

29. A full list of all the circumstances that disqualify people from working with children is available in the Childcare (Disqualification) Regulations 2009.²⁰ If you think that you, or a person you are considering employing, or a person who lives with you or lives on the premises where you intend to childmind may be disqualified, you can talk to us confidentially about your own circumstances by contacting us on **0300 123 1231**.
30. If you are disqualified from registration, you can, in some cases, ask us to consider waiving the disqualification so that you may still apply to be registered as a childminder. Please contact us if you wish to apply for a waiver.
31. It is an offence to employ a person to look after children with you who you know is disqualified from working with children. If you wish to employ such a person to act as your assistant, they must first apply to us to waive disqualification. Only if we agree to do so can you employ them to work with you.
32. We cannot waive a disqualification for most people who are included on the list of people barred from working with children held by the Disclosure and Barring Service.²¹ The only exception to this is where the disqualification relates to someone you live with (a household member). In these cases we may waive disqualification if it is appropriate to do so.

The application process

33. We aim to complete the registration process within 12 weeks of receiving a complete application. An application is not complete until:
 - we have received all relevant forms, including declaration and consent forms (EY2) and completed Disclosure and Barring Service disclosure application forms for everyone who is named in your application
 - you have either completed your childminder training and first aid training or have provided us with dates when you are due to attend the courses
 - you have paid the application fee to us.

A number of stages in the process depend on information from other agencies and action that you need to take; these may cause delays that are outside our control.

²⁰ The Childcare (Disqualification) Regulations 2009;
www.legislation.gov.uk/uksi/2009/1547/contents/made.

²¹ Further information about the Disclosure and Barring Service is available from:
<http://www.homeoffice.gov.uk/agencies-public-bodies/dbs/>.

Before applying

34. You should **always** contact your local authority family information service before applying to Ofsted. Annex B gives information on how to contact your local authority. They must provide pre-registration briefings for childminder applicants, which will help you through the application process. They can provide you with information about:
- registration courses and other training
 - first aid training
 - advice and support that the local authority and its family information service make available
 - the requirements of the Early Years Foundation Stage.
- They may also help you to obtain and complete the application forms.
35. You must always read the Early Years Foundation Stage **before** applying to make sure you are able to meet its requirements. You should not apply unless you think you will be able to do so, as we will not be able to register you if you cannot meet the requirements.

Making an application

36. You can apply online on our website²² through the Ofsted online portal. This is the quickest and easiest way to apply. You will only need to complete the sections that relate to your provision. There are guidance notes to help you through the process.
37. 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.
38. 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.
39. Once you have an account, you can access a range of Ofsted services including an online application for the Early Years and Childcare Register.

²² <https://online.ofsted.gov.uk/OnlineOfsted/default.aspx>.

40. You can also download the application form from our website²³ or ask us for an application form to complete. We will help you to complete your application if you need it. You can telephone for help on **0300 123 1231** or write to us at:

Ofsted, National Business Unit
Piccadilly Gate
Store Street
Manchester
M1 2WD.

You can also ask your local authority for help.²⁴

The application

41. The application forms consist of:
- the main application form for registration as a childminder (EYC)
 - the declaration and consent forms (EY2) – these must be completed by any other person associated with your application, such as any assistants you intend to employ and any members of the household where you intend to provide childminding (usually your own home) who are aged 16 and older
 - the *Health declaration booklet*.
42. We provide further guidance to help you to complete the application process, including:
- *Early Years Register: preparing for your registration visit*
 - a checklist of the things you must complete
 - leaflet on fees.

The application form (EYC)

43. This form asks for information about you, the premises on which you intend to childmind, other matters of suitability and your consent for us to carry out checks and use information from these checks to decide if you are suitable for registration as a childminder. We may carry out checks with:
- directors of children's services (children's service records, child protection register)

²³ Completing your application to be a childminder; www.ofsted.gov.uk/early-years-and-childcare/for-childminders/regulating-early-years-and-childcare/registering-childm-0.

²⁴ Local authorities have responsibility for providing advice and support to applicants and childcare providers.

- a general practitioner (GP) or other medical professional, including a second medical opinion by a medical practitioner appointed on behalf of Ofsted, if necessary
- the Disclosure and Barring Service, including details of spent convictions normally exempt from disclosure under the Rehabilitation of Offenders Act 1974
- the Disclosure and Barring Service to check that you are not barred from working with children
- the Soldiers, Sailors, Airmen and Families Association (SSAFA) Forces Help
- referees
- previous employers.

44. We may carry out any or all of these checks. We may also carry out any further checks that we think are necessary to establish your suitability, for example with your health visitor.

Health declaration booklet

45. This asks for information about your current and past health so that we can decide if you are mentally and physically suitable to care for children. You need to complete sections A and B of the *Health declaration booklet* and take it to your GP so that they can verify the information you provide. Your GP may charge you a fee for providing this information. Your GP will send the booklet back to us in the envelope provided.

Applying for a criminal check with the Disclosure and Barring Service

46. 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 individuals who make up the registered person, individuals living or working on domestic premises where childminding is provided who are aged 16 and over, and also on childminding assistants.
- **'OfSTEDA'** - for those applying to be associated to a provision that is already registered. This includes 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 childminding is provided, such as where someone living in the household turns 16.

47. 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.

Other people looking after children (childminder assistants)

48. You have to demonstrate that everyone who looks after children with you is suitable to do so. You should arrange for everyone looking after children with you to complete a declaration and consent form (EY2). This form is available to download from our website. The form asks for their consent to carry out a series of checks and for us to use the information from those checks to decide on their suitability. You will not be able to allow any assistants you employ to look after children unsupervised for more than two hours; if you wish to do so then that person will need to register separately as a childminder. We carry out checks with:

- directors of children's services (children's service records, child protection register)
- the Disclosure and Barring Service, including details of spent convictions exempt from the Rehabilitation of Offenders Act 1974
- the Disclosure and Barring Service, which holds the list of people who are barred from working with children.

49. We may also carry out any other checks we think are necessary. This may include a check with the person's GP if we have concerns about their medical suitability. We may ask people to attend an interview following these checks to assess their suitability. We will inform you if we have concerns about anyone's suitability as a result of any checks. You will then have to decide whether you want these people to assist you. We will take into account the suitability of the people who assist you when deciding whether to grant your registration.

Other people living or working on the premises and not looking after children

50. Every person living or working on the premises where you intend to childmind must be suitable to be in regular contact with children. You should arrange for everyone aged 16 or over to complete a declaration and consent form (EY2). We carry out checks with:

- directors of children's services (children's services records, child protection register)

We ask you to carry out checks with:

- the Disclosure and Barring Service, including details of spent convictions exempt from the Rehabilitation of Offenders Act 1974

- the Disclosure and Barring Service, which holds the list of people who are barred from working with children.
51. We may also carry out any other checks that we think are necessary, for example with the probation service, the police or with their GP if we have information that leads us to believe they may be a risk to children. We will take the results into account when assessing the suitability of the people to have regular contact with children. We may ask them to attend an interview following these checks to assess their suitability. We will take into account the suitability of the people who live with you, or work on the premises where you intend to provide childcare, when deciding whether to grant your registration.

Completing the application

52. Make sure that you and others associated with your registration complete all forms as fully as possible. The guidance notes that accompany the forms should help you. You can also contact us for advice on completing the forms on **0300 123 1231**. You may obtain extra copies of the forms from our website. Other people associated with your application may also complete the forms using the online registration system; details are in Annex B.
53. If the forms are not completed fully we cannot start to process your application. We may return your application if it has not been completed satisfactorily.
54. Please note that you are guilty of an offence and liable to a fine if you knowingly make a statement that is false or misleading in an application.
55. Your application is not complete until you pay the application fee, have completed your first aid and childminder training or provided us with dates when you will complete them, and all those named in your application have completed the declaration and consent form and their Disclosure and Barring Service disclosure application form and submitted them to us.

Next steps

56. We will:
- acknowledge your application
 - return it to you or telephone you for more information if you have not provided enough details
 - ask you to arrange for all relevant people connected with your registration who are aged 16 or over and are living or working on the premises where you intend to provide childminding to download and complete a declaration and consent form(s), unless the individual has completed the declaration and consent form and sent it with your application, or submitted the form using the online service
 - send you a request to pay the non-refundable application fee

- provide you with your Capita Organisation Reference number
 - ask you to contact Capita to apply for your Disclosure and Barring Service disclosure for yourself and everyone else connected with your application unless Ofsted already holds such a check
 - begin to carry out checks, once we receive your completed application
 - arrange for an inspector to visit you.
57. Before the visit, the inspector will telephone you to confirm the date of the visit and make sure you have all necessary documents to hand including evidence of your completed childminder training course and first aid course and your Disclosure and Barring Service check.
58. Please note that whenever an inspector visits you, you should always ask to see their proof of identity. All our inspectors carry identification and authorisation documents that include the inspector's photograph and details of rights of entry.

Preparing for the visit

59. The inspector's role during the visit is to:
- check your identity by looking at personal documents
 - check your premises and equipment and interview you to assess your suitability to be a childminder and your ability to deliver the Early Years Foundation Stage
 - assess how you intend to help children feel secure and make good progress in their learning and development in line with the Early Years Foundation Stage
 - assess how you will meet the safeguarding and welfare requirements of the Early Years Foundation Stage
 - assess your ability to put the requirements into practice.
60. You must be familiar with the *Statutory framework for the Early Years Foundation Stage* before this visit. Your training will help you and you may also wish to refer to associated resources such as *Development matters*. Reading through the framework and guidance will help you to identify anything you need to show the inspector.
61. We also have a guidance booklet, *Early Years Register: preparing for your registration visit*, that you may find useful in helping you answer questions. It sets out a number of areas the inspector will cover so that you can think about how you intend to deliver your childminding service and how you will demonstrate this to the inspector when they visit.

62. It may be necessary to make more than one visit during the registration process. If you are unable to demonstrate to the inspector that you have fully understood and can deliver the requirements of the Early Years Foundation Stage, we will refuse your application.

Documents

Identity documents

63. You must provide documents that prove your current name and any other names you have used. One should preferably be a photographic identity such as a current passport or a photographic driving licence with the associated counterpart. If you do not have photographic identity the inspector will need to see your full birth certificate.
64. If you have changed your name by marriage, deed poll, adoption, statutory declaration or any other means, you need to provide evidence of this change, for example certificates or decrees.
65. In addition, you will need to provide two pieces of evidence confirming your current address, for example:
- a utility bill (gas, landline telephone, electricity)
 - a credit card, bank, mortgage or benefit statement such as child allowance
 - any recent communication from your local authority or a government agency or department such as the Department for Work and Pensions.

Additional documentation

66. When the inspector visits you must provide evidence to prove that you have completed both courses. For first aid the evidence is a current, valid, first aid certificate that covers infants and young children. For childminder training, this is a certificate of attendance or a letter confirming that you have successfully completed the course or a letter from the local authority confirming that your existing qualifications are approved as meeting this requirement. If you cannot prove this to the inspector then we will refuse your application to register with us. If you have any other childcare qualifications in addition to the courses required by the Early Years Foundation Stage statutory framework the inspector will ask to see any certificates that you have. You will need to provide original documents; we cannot accept photocopies as evidence of qualifications and completed training.
67. If you intend to use a car for transporting the children you care for, you will need to show the inspector a valid driving licence for yourself and any other person who may be transporting children as part of your service, valid insurance documents and an MOT certificate, where applicable, for each vehicle.

68. The Early Years Foundation Stage gives information about the written records you will need to keep as a childminder. If you have prepared any in advance, or have written any information for prospective parents, you should show these to the inspector.

Your premises

69. The inspector will ask to see all the rooms that you intend to use for childminding and any outdoor space you intend to use. You should prepare for this by thinking about possible risks to children and how you will deal with these. The inspector will expect you to have identified any risks to children and to have plans in place to minimise these risks. For example, the inspector will want you to have made sure that:
- children cannot leave the premises, including any outdoor area, unsupervised, and cannot access any areas of the premises that are unsuitable for childminding
 - you take appropriate safety measures according to the age of children you care for, such as using safety gates or childproof locks, and making safe any other aspects of your premises that could be a risk to children
 - the premises are a suitable learning environment for children.
70. You must also consider what sort of outings you might take children on, for example to the park or shops, and how you will ensure their safety on such outings. The inspector will expect you to have thought about the types of outing you might provide and how you minimise risks by considering:
- how many children you may take out at any one time
 - how you intend to transport children
 - any particular hazards you might encounter such as busy roads or areas where there are lots of people
 - the type of equipment you might need to meet children's needs, such as a first aid kit
 - the records you might need to take with you, such as contact numbers for children's parents.

Equipment and resources

71. The inspector will need to see any furniture, equipment or toys you intend to use with young children, such as:
- safety equipment, for example fireguards
 - equipment to assist children, for example potties
 - equipment to help with transport, for example buggies
 - toys and materials for children to play with.

72. You do not have to have a full range of equipment at the time of the visit, but you must be able to identify how you intend to provide relevant resources to meet the needs of all children you may care for, and be able to provide these as soon as you are registered. You will need to explain to the inspector how you will organise your premises and equipment to help you deliver the Early Years Foundation Stage and how you will provide opportunities for daily outdoor play.

Suitable person interview

73. The inspector will discuss **all** aspects of the Early Years Foundation Stage with you. You will have to explain how you will deliver the Early Years Foundation Stage, including its safeguarding and welfare, and learning and development requirements. Working through the questions in the *Early Years Register: preparing for your registration visit* booklet will help you think about how you will meet these.
74. The inspector will ask how you will plan and provide challenging and enjoyable experiences for all children in all areas of development. You may want to think about how you will plan activities and play opportunities to meet children's individual needs, observe what they do and assess their progress. These experiences must help all children make good progress from their starting points so that they are ready for school. The inspector will use *Development matters* to check your understanding of the progress children should expect to make at different ages.
75. The inspector will ask you how you will meet the needs of a range of children, including any with learning difficulties and disabilities and any that might have English as an additional language, and how you will help all children to feel valued.
76. You will need to show your understanding of how to keep children healthy and safe; how you have identified any possible risks to children and what you have done to minimise those risks, and your processes for vetting any assistants you may want to use or other people who have regular contact with children, such as any lodgers you may have.
77. You will also need to demonstrate that you understand how many children you may care for of different ages and how you will balance their varying needs.

Outcome of the visit

78. At the end of the visit the inspector will tell you about the next steps in the registration process, including their judgement about your readiness for registration. If the inspector thinks you are not ready, you may choose to withdraw your application to register at this stage (see section below). Once we have completed the registration visit we will notify you of our registration decision as soon as possible. The decisions we can make are to:

- register you as a childminder
- refuse registration.

Conditions of registration

79. Conditions of registration restrict what you might do (for example, in certain circumstances we may not allow you to care for babies). In most cases, we will not set conditions on your registration. This is because the Early Years Foundation Stage sets out the requirements you must meet at all times while you are registered with Ofsted. However there may be occasions where we have to set conditions due to the specific circumstances of your childminding service. If we grant registration with conditions, we will set these out on your certificate of registration that you must display to parents. You must comply with those conditions at all times. It is an offence not to do so, unless you have a reasonable excuse.

After the registration visit

Checks

80. We will not make a registration decision until we have results from all the checks we carry out on you or from those we have asked you to carry out, the people looking after children with you and anyone living or working on the premises on which you intend to provide childcare.

Registration

81. When an inspector has completed the registration visit and all the checks are complete, we will decide whether registration should be granted or refused. If registration is granted, we will send you a registration certificate. We will also tell you how to obtain information to help you manage your registration, including about the inspection process.

Refusing registration

82. 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. You must tell us you intend to do this within 14 days of the date on the notice of intention. 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.
83. 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.

84. You have the right to appeal against our decision to an independent external body, the First-tier Tribunal, Health, Education and Social Care Chamber, within three months of the date that we send the notice of decision. We will send you a leaflet on how to object and appeal if we intend to refuse registration.²⁵

The certificate of registration

85. The certificate of registration is your proof of registration. Once you have received your certificate you can begin working as a childminder.
86. This certificate states your registration number, the date of registration and the register or registers on which you are registered. It also includes your name as the registered individual, the address(es) where you may provide childminding and any conditions that apply to your registration.
87. Your certificate is a legal document and will remain valid until:
- we change, add or remove any of the conditions of registration either as a result of a request by you or because we decide to make changes
 - we cancel your registration
 - you resign your registration.
88. It is a legal requirement of the Early Years Foundation Stage that you display the certificate. If you lose, damage or destroy your certificate you will need to get a replacement. There is a fee for this service. For the current amount, please refer to the leaflet available on our website.²⁶
89. You must have a secure postal address where we can serve legal documents such as certificates of registration. You may also give your consent for certain documents to be sent electronically. In order for notices to be sent electronically you must provide an address suitable for this purpose. This cannot be a generic email that may be shared with other members of the household, such as jonesfamily@london.com, because the information that we send through this route could be personal information. The email must be confidential and only accessible to you as the registered person.

Withdrawing your application

90. During the registration process you may change your mind about continuing your application to register as a childminder. You must tell us if this is what you decide in order to stop the registration process. If you do not tell us that you wish to withdraw your application, we will continue the process and may have

²⁵ Information about objections and appeals is available in the *CIE handbook* (080188), Ofsted, 2012; www.ofsted.gov.uk/resources/compliance-investigation-and-enforcement-handbook.

²⁶ Your certificate for childminding; www.ofsted.gov.uk/early-years-and-childcare/for-childminders/regulating-early-years-and-childcare/registering-childminder/your-certificate-for-chi.

to refuse your registration if you have not met all the necessary requirements. Refusing registration is a serious step as it disqualifies you from providing childcare in the future.

91. Please note that the application fee is non-refundable.
92. You cannot withdraw an application if we have already served you with a notice of intention to refuse your registration, unless we give our consent for you to do so. This does not affect your right to make an objection or to appeal against our decision.

What you need to tell us about once you are registered

The things you must tell us about are set out in the *Statutory framework for the Early Years Foundation Stage*. You should inform us at the earliest opportunity of any changes or proposed changes that may affect your childminding. Where it is not possible to notify us in advance, you must let us know of the change as soon as you can and no later than 14 days after the event occurs. You can also find details in our factsheet *Records, policies and notification requirements of the Early Years Register*²⁷ **The records, policies and procedures you must keep**

93. The *Statutory Framework for the Early Years Foundation Stage* sets out the records, policies and procedures that you are required to keep. You can also find details in our factsheet *Records, policies and notification requirements of the Early Years Register*²⁸

Corporal punishment

94. You must not give corporal punishment to a child or allow other people who look after children or live and work on the premises to give corporal punishment.

²⁷ <http://www.ofsted.gov.uk/resources/factsheet-childcare-records-policies-and-notification-requirements-of-early-years-register>

²⁸ <http://www.ofsted.gov.uk/resources/factsheet-childcare-records-policies-and-notification-requirements-of-early-years-register>

Paying the annual fee

95. Regulations require you to pay us an annual fee for continuing your registration. For the current amount, please refer to our website.²⁹ We will tell you when the fee is due. We will cancel your registration if you do not pay the fee when it is due. If you are registered on the Early Years Register you do not have to pay an additional fee for registration on the compulsory and/or voluntary part of the Childcare Register.

Continuing registration

96. You must continue to demonstrate your suitability to be a childminder throughout the time that you remain registered. We monitor this through:
- regular inspections
 - other visits, for example to follow up any concerns we receive about the service you provide
 - repeating or carrying out additional checks including asking you to carry out another criminal records check where we receive information that brings your suitability into question or information about other people connected with your registration, as set out in paragraphs 43–49
 - if you choose to do so, your completed self-evaluation form.
97. We expect you to reflect on your practice and consider how you might improve on what you do. Once you are registered, we make available a self-evaluation form to help you do this. You should complete this online if possible. We will give you more information about this with your certificate of registration.
98. Whenever an inspector visits you, always check their identity. All our inspectors carry identification and authorisation documents that include the inspector's photograph and details of our rights of entry.

Inspection

99. After your registration we will inspect you within a short time: normally within seven months of registration providing that you are looking after children. This is so we can assess the quality of care and learning you give to children. The inspector will read your completed self-evaluation form before the inspection and discuss it with you.

²⁹ *Paying fees for application and continued registration on the Early Years Register and Childcare Register* (100157), Ofsted, 2011; www.ofsted.gov.uk/resources/100157.

100. Following this inspection we will inspect you at least once every three to four years.³⁰ The inspector will judge the quality of the childcare you provide and write a report. We will send you the report and publish a copy on our website.
101. There is more information about inspection in the booklet *Are you ready for your inspection?* This is available on our website.³¹

Other visits

102. We may visit at other times, for example:
- to check on actions given at an inspection
 - to consider a request to vary the conditions of your registration
 - because something about your registration has changed, for example you have moved house
 - because we have received information from a parent or other person that raises concerns about whether you meet the requirements for registration; in these cases we will normally carry out a full inspection of your service.
103. Unless we carry out a full inspection of your service we will not provide you with a report from these visits. You may receive a letter that sets out the outcome of the visit where this is appropriate. This may include actions and/or recommendations to bring about improvement.
104. If we find that you do not meet the requirements of registration we will tell you about any enforcement action we intend to take. Normally we will simply tell you what you must do. However, in the most serious cases we may prosecute you or cancel your registration. Inspectors can:
- enter your childminding premises at any reasonable time
 - inspect and take copies of any records kept by a childminder
 - seize and remove any document or other material that may be used as evidence of failure to comply with the law or the requirements for registration
 - take measurements and photographs and make recordings
 - interview you in private
 - interview another adult in private if they consent.
105. If you prevent an inspector carrying out any of the above you are committing an offence.

³⁰ The Secretary of State defines this period as: by the end of the year in which it is three years since the last inspection, with the year ending at 31 August.

³¹ *Are you ready for your inspection?* (090130), Ofsted, 2012; www.ofsted.gov.uk/resources/090130.

How we use the information related to your registration

106. 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.
107. 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.
108. We have a duty to provide information about childcare providers to local authorities, so they can fulfil 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 or other government and local authority departments, for example environmental health.
109. We will also provide details provided in your application form to our inspection service providers who, by law, are permitted to carry out registration process on behalf of Ofsted.
110. 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.
111. 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.

Publication of your name, address and telephone number

112. We publish information related to your registration on our website. This includes any conditions of registration, inspection reports and letters, survey letters and monitoring letters. We do not publish your name, address and telephone number unless you give us your consent to do so.
113. Childminders may give consent for their name, address and telephone number to be displayed on the Ofsted website to make it easier for prospective parents to make contact with them. Childminders who agree for their contact details to be made public can confirm this option on the application form. Further details about this are available on our website.³² You do not have to consent to Ofsted publishing your details unless you choose to, but it may help parents to make

³² Childminders consent form; www.ofsted.gov.uk/resources/childmindersconsentform. Further details on this process are available at <http://www.ofsted.gov.uk/news/opportunity-for-childminders-have-details-published-online>.

contact with you more easily. You may withdraw your consent at any time after registering with us.

114. We will continue to provide regular updates about our early years work. We have a free online newsletter – *Ofsted News* – for anyone interested in childcare and education.
- To subscribe, visit <http://live.ofsted.gov.uk/newsletter>.
 - To read the latest issue, visit <http://ofstednews.ofsted.gov.uk>.

Resigning your registration

115. If you no longer wish to be a registered provider, you must resign your registration. You need to let us know by telephone or in writing that you intend to resign. You may also tell the inspector if you wish to resign before any inspection by giving the inspector a resignation request form. This form is available from the inspector or our website.
116. 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.
117. If you have **not** looked after children for some time you should consider whether to resign. This is because Ofsted has the power to cancel the registration of any childminder who has not looked after children for a period of more than three years. Cancellation is a serious step that disqualifies you from providing childcare in the future. For further information about this please see our factsheet *The process and guidance for inspecting childminders and childcare settings with no children on roll or no children present at the time of the inspection*.³³
118. You may not resign if you have been served with a notice of intention (unless we give you permission to do so) or a notice of decision to cancel your registration or if you are waiting for the outcome of an appeal to the First-tier Tribunal Health, Education and Social Care Chamber.
119. Resigning as a childminder does not affect any future application you wish to make to provide childcare.

³³ *The process and guidance for inspecting childminders and childcare settings with no children on roll or no children present at the time of the inspection* (080173), Ofsted, 2012; www.ofsted.gov.uk/resources/080173.

Annex A. Registration on the Childcare Register

Applicants for registration on the Early Years Register can apply for registration on the Childcare Register at the same time.

Any applicant who **only** wants to apply for the Childcare Register should read the *Guide to registration on the Childcare Register*.³⁴

There is only one fee if you apply to register on the Childcare Register at the same time as the Early Years Register. If you are not registered on the Early Years Register then you must pay a separate fee to join the Childcare Register. Details of the fees are available on our website.

The Childcare Register is not linked to the delivery of the Early Years Foundation Stage. It has two parts.

- The compulsory part of the Childcare Register is for applicants who wish to care for children older than the early years age group but under eight: that is, children aged from 1 September following the child's fifth birthday to age seven. All those applying for the Early Years Register who also want to care for children of this age must apply to join this part.
- The voluntary part of the Childcare Register is for applicants where the service they provide does not require compulsory registration, for example nannies who look after a child in the child's own home, those who care for children aged over eight or those who provide activities such as music tuition.

If you wish to register on the Childcare Register you must also meet a set of requirements for registration relating to the Childcare Register, in addition to meeting the requirements of the Early Years Foundation Stage. The requirements for childminders and home childcarers are available on our website. If you are applying for the Childcare Register at the same time as the Early Years Register we will ask you to sign a declaration that you meet these requirements.

Registration on the Early Years Register and the Childcare Register – your inspection and certificate

We will issue one registration certificate showing that you are registered on the Early Years Register and the Childcare 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.

³⁴ See the *Guide to registration on the Childcare Register* (080032), Ofsted, 2012; www.ofsted.gov.uk/publications/080032; and *Requirements for the Childcare Register: childminders and home childcarers* (080161), Ofsted, 2012; www.ofsted.gov.uk/publications/080161.

We will include a statement of your compliance with the requirements of the Childcare Register in that report.³⁵

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 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 gave us the information.

³⁵ There is more information about inspection of the Early Years Foundation Stage in *Are you ready for your inspection?*, which is available from our website: www.ofsted.gov.uk/publications/090130, or on request by telephoning 0300 123 1231.

Annex B. Further information

Ofsted

We can provide guidance on the regulations and requirements of registration. Useful information and forms are available on our website: www.ofsted.gov.uk.

Ofsted's helpline is **0300 123 1231**.

Your local authority

Your local authority can provide you with details, support and advice about any training that they offer and any information that they provide. You can obtain details of your local authority contact from the telephone directory or from us on the above number.

Family information service

Your local family information service can provide you with information about existing childcare services in your local area:
www.familyinformationservices.org.uk/index.php?option=com_comprofiler&task=userslist&listid=2&Itemid=73.

You can also find this information in your telephone directory.

Early Years Foundation Stage

You must read the Early Years Foundation Stage before making an application. You will have to demonstrate that you meet its requirements before we can register you. You can find the Early Years Foundation Stage materials on the Department for Education³⁶ or Foundation Years website.³⁷ You can also find information about how to register from your local authority.

³⁶ Department for Education website:
www.education.gov.uk/childrenandyoungpeople/earlylearningandchildcare/a0068102/early-years-foundation-stage-eyfs.

³⁷ Foundation Years website: www.foundationyears.org.uk/early-years-foundation-stage-2012/.