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Department
for Education

Policy paper

Childminder agencies

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Overview

Childminder agencies (CMAs) are organisations that can register and quality assure childminders and providers of 'childcare on domestic premises' as an alternative to registering with Ofsted.

Rationale for introducing childminder agencies

The Department for Education consulted on CMAs between 28 March 2014 and 22 May 2014. The [2014 childminder agencies consultation](#) set out how the government planned to improve the availability, affordability and quality of childcare for parents. This included the introduction of CMAs to:

- provide parents with support finding a childminder by offering a brokering service, advice and support about the things to consider when choosing a childminder
- act as a lever to increase the number of childminders in the market by helping potential childminders understand the various requirements to establish their business and to get them up and running
- provide an alternative route into the profession that offers more support to childminders, including training and development and business and marketing support

The department's [consultation response](#) (published August 2014) confirmed that the government would introduce legislation to allow for the creation and registration of CMAs from September 2014.

[Childminder agency trials: key learning points for organisations setting up a childminder agency](#) was published in September 2014 and set out the findings of the CMA trials.

Since 1 January 2016, childminders and providers of childcare on domestic premises can operate out of approved non-domestic premises for up to half their time under their existing registration. However, they must seek (and have received) approval from Ofsted or their CMA before they can operate from individual non-domestic premises. This expanded the range of premises from which childminders and providers of childcare on domestic premises can operate. For example, they could work with schools to offer out-of-hours care from school premises before and after school or during the holidays.

Since 1 October 2021, early years CMAs are required to carry out a 'minimum' of 1 quality assurance visit to each of their newly registered early years providers in the first year of the provider's registration. This amended the previous requirement to carry out a minimum of 2 visits in the first year. All other CMA quality assurance visit requirements remain unchanged (refer to [Quality assurance visits by childminder agencies](#)).

Legislation underpinning childminder agencies

The [Children and Families Act 2014](#) amended Part 3 of the [Childcare Act 2006](#) so CMAs can register with the Chief Inspector of Ofsted. Once registered, CMAs can register childminders and providers of childcare on domestic premises.

Any person or organisation that wishes to [register as a childminder agency in England](#) must submit an [application for registration to Ofsted](#) and have approval from Ofsted before they can operate.

Once registered with Ofsted, CMAs are themselves regulated and inspected by Ofsted. The legal requirements placed on CMAs (including a list of the underpinning legislation) is available in the department's [guide for childminder agencies](#).

What childminder agencies do

In England, there are 2 childcare registers:

- the **Early Years Register** covers the care for young children from birth to age 5 (until 31 August following the child's fifth birthday) for more than 2 hours per day in respect of a particular child (that is not [exempt from compulsory registration](#))
- the **General Childcare Register** (also known as the later years register) covers the care of children from 1 September following the child's fifth birthday. This is split into 2 parts:
 - **Part A** of the General Childcare Register (the compulsory part) covers the care of children aged 5 to 7 for more than 2 hours per day in respect of a particular child (that is not [exempt from compulsory registration](#))
 - **Part B** of the General Childcare Register (the voluntary part) is for providers who are [exempt from compulsory registration](#) - for example, childminders who care for children aged 8 and over, nannies, and activity-based providers (those providing activities from a specified list of activities such as sports, dance and drama clubs)

CMAs register childminders and providers of 'childcare on domestic premises' who meet the legal requirements for registration on the Early Years Register and/or Part A of the General Childcare Register.

CMAAs must provide their registered providers with annual quality assurance visits, practice support and continuous professional development (CPD).

CMAAs also have a statutory responsibility in terms of deciding whether a provider that is registered with it remains suitable for registration.

Quality assurance visits by childminder agencies

CMAAs must carry out a minimum of 1 quality assurance visit (unannounced) per year to each of their registered providers [\[footnote 1\]](#). CMAAs may undertake more than 1 visit per year and at any time. For example, if they have concerns about the quality of a provider or wish to check any non-domestic premises approved under their registered providers' registration.

CMAAs can decide the shape and content of their quality assurance visit arrangements. However, as set out in department's [guide for childminder agencies](#), for early years providers, this must include an assessment against delivery of the requirements of the [early years foundation stage \(EYFS\) statutory framework](#). CMAAs can also decide whether to rate or grade their registered providers. For example, using an equivalent of Ofsted's 4-grade judgements, or a simple 'met' or 'not met' rating.

Practice support provided by childminder agencies

CMAAs must provide their registered providers with practice support, including CPD. Regulations define practice support as any training, advice or assistance which supports a registered provider in the running of that provider's childcare practice. This may include training, advice or assistance provided by an agency during a quality assurance visit.

CMAAs must provide each early years provider registered with them with 20 hours of practice support in each year of registration, 16 hours of which must comprise CPD.

In relation to their later years providers, CMAAs must provide them with 10 hours of practice support in each year of registration, 8 hours of which must comprise CPD.

Where a provider is registered on both the early years and general childcare (later years) registers, then the CMA need only provide the hours required for early years purposes (so the agency need only provide 20 hours).

Other support provided by childminder agencies

As well as the formal legal requirements around registration, quality assurance and CPD, CMAAs are also able to offer a range of other services to childminders and parents. For example:

- administrative support
- marketing to families
- networking opportunities

They may also, in agreement with their providers:

- provide invoicing services
- manage parental fees on behalf of providers

- administer paperwork for tax and National Insurance (NI) contributions on behalf of providers or their assistants
- arrange accountancy services for providers

CMAAs may also be able to help:

- providers – to work with local authorities to deliver free early education places and manage the funding on their providers' behalf
- parents – to access other forms of government support towards the cost of childcare, such as tax credits, Universal Credit or [Tax-Free Childcare](#) (TFC)
- new childcare provider applicants – to meet all mandatory pre-registration training requirements, including those set out in the EYFS statutory framework

Childminder agency fees and charges

CMAAs are independent of government and are entirely self-funded. They are able to set their own fees for the services they provide, which will vary depending on the overall package of support they offer. Contact a CMA directly for more information about the services they offer and their fee structure. Check our [list of open childminder agencies](#).

Government funding for providers registered with a childminder agency

Providers registered with a CMA are eligible for various government funding initiatives. For example, local authorities can fund free early education places for young children aged 2, 3 and 4 years old at any early years provider registered with a CMA judged 'effective' by Ofsted.

The legal requirements in relation to the funding of early years provision in England is outlined in the department's [statutory guidance for local authorities on the provision of early education and childcare](#). Parents eligible for the TFC scheme can use TFC to help pay for any childcare provision registered with a CMA. Providers registered with a CMA can also be paid to support young parents under the [Care to Learn scheme](#).

Keeping children safe from harm

The welfare and safeguarding of children is paramount. As set out in the department's [guide for childminder agencies](#), a CMA is responsible for assessing the initial and ongoing suitability of its staff and its registered childminders. A CMA also has an important role in addressing any safeguarding concerns that arise in relation to its staff, its registered childminders and those living or working on the childminder's premises.

Section 6 of the guidance, about keeping children safe from harm, sets out the responsibilities and role of a CMA. It outlines how a CMA should deal with concerns that are raised with them either directly or via another body. This includes concerns about a child's welfare, allegations against an agency registered childminder, and allegations against a member of agency staff.

How childminder agencies are regulated

Ofsted inspections

Ofsted inspects CMAs in line with the inspection principles set out in its [childminder agencies: inspection guidance](#) and within the timescales outlined in the [childminder agency inspection requirements for Ofsted](#).

CMAs are only eligible for inspection once they have registered providers on roll. Ofsted carries out the first inspection of a newly registered CMA within 12 months of the date that it registers its first provider. This is because Ofsted assesses an agency's compliance with the regulatory requirements (including requirements that have an impact on the safety and well-being and learning and development of children cared for by CMA-registered providers) rather than the quality of childcare provision registered with the CMA. CMAs are responsible for assessing and improving the quality of its registered providers.

There are only 2 overall effectiveness inspection outcomes for CMAs – 'effective' or 'not effective'. Ofsted publishes the inspection outcome for each CMA on its website – [find a CMA inspection report](#).

Handling complaints

As set out in section 3.75 of the EYFS, childminders are not required to have a written procedure for handling complaints. However, they must keep a record of any complaints they receive and their outcome, and the record of complaints must be made available to Ofsted or the relevant CMA on request. As set out in section 3.76 of the EYFS, providers (including childminders) must make available to parents and carers details about how to contact Ofsted or the CMA with which the provider is registered if they believe the provider is not meeting the EYFS requirements.

Childcare on domestic premises must meet the same requirements as for other providers (as set out in section 3.75 of the EYFS) to have put in place a written procedure for dealing with concerns and complaints from parents and carers, and must keep a written record of any complaints, and their outcome.

As set out in the department's [guidance for childminder agencies](#) – and in paragraphs 8 and 9 of Schedule 1 to the Childcare (Childminder Agencies) (Registration, Inspection and Supply and Disclosure of Information) Regulations 2014 – CMAs must also establish a written procedure for considering complaints made by:

- all registered providers of the agency
- parents who have a child in the care of a provider registered with the agency

CMAs need to ensure that, wherever possible, all complaints are responded to within 28 days, beginning with the date on which the complaint was made, and that a written record is kept of all complaints and any steps taken by the agency to resolve them.

CMAs must detail their complaints procedure in their 'statement of purpose' when they seek to register with Ofsted. As set out in paragraphs 4 and 5 of Schedule 1 to the Childcare (Childminder Agencies) (Registration, Inspection and Supply and Disclosure of Information) Regulations 2014, CMAs must make the 'statement of purpose' available for inspection by any:

- person employed by the CMA

- registered provider of the CMA
- provider making enquiries about registration with the CMA
- parent making enquiries about receiving registered childcare provision by a registered provider of the CMA

1. In contrast, the [early years register providers inspection requirements for Ofsted](#) requires Ofsted to prioritise the first inspection of providers on its early years register and inspect providers on its early years register within a 6-year window from the date of their last inspection. ↩

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