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Guidance

# Childcare on domestic premises

Guidance for applicants and registered providers of childcare on domestic premises.

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## Applies to England

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## Introduction

There are 2 types of domestic childcare registrations:

- [childminder](#) (up to and including 3 people providing care)
- childcare on domestic (4 or more people providing care)

Childminders can work alone or with other childminders and assistants. A separate childcare on domestic premises registration is required when the number of people providing care exceeds 3.

‘Domestic premises’ is somewhere used wholly or mainly as a private home. The premises includes any area and any vehicle where childcare is provided.

You must register as childcare on domestic premises provision when the number of people providing care exceeds 3 unless you are [exempt from registration](#). You can either [register with Ofsted](#) or a [childminder agency](#).

Read our [early years blog](#) to find out about [the difference between registering with Ofsted or a childminder agency](#).

For information on what happens once you have submitted your Ofsted application form, see:

[Childcare: Application review](#).

## People providing or assisting with childcare

People providing, or assisting with providing, childcare on the premises could include:

- Ofsted-registered childminders
- agency-registered childminders
- childminding assistants
- apprentices
- students
- volunteers

You will still need to be registered to provide childcare on domestic premises if the total number of people providing or assisting with childcare is 4 or more, even if those assisting are not included in the ratios.

### Household members, assistants and visitors

We must complete suitability checks on all people aged 16 years and older who live or work on the premises. This includes:

- anyone who lives on the premises where the childcare is provided (family or other household members)
- anyone who works on the premises where the childcare is provided during childcare hours, such as a cleaner or childminder's assistant

You need to notify us of people that fit the above criteria and they must [apply to join your registration](#).

## People providing health care

[Section 18](#) of the [Childcare Act 2006](#) defines 'childcare'. It excludes any form of health care for a child. If a medical professional attends the provision to provide health care only, they cannot be counted as somebody providing or assisting with childcare. The medical professional must not assist with or provide childcare, even for less than 2 hours a day. The provider must set out very clear expectations and role requirements to ensure that childcare is not provided by healthcare professionals.

## Requirements

Childcare on domestic is defined as a group setting. You will need to follow [all requirements](#) for nurseries and other daycare rather than childminding, for example the ratio and staff qualification requirements.

If you also operate as a childminder, you will need to follow [all requirements](#) for childminders or childcare on domestic premises depending on which provision you are operating as at the time.

## Planning permission

You should check with your local planning department whether you need planning permission to operate as childcare on domestic premises. The requirements for registration do not replace the other legal responsibilities that you must still meet.

## Dual registration

You must make sure that the number of people assisting with your provision aligns with your

registration type:

- childminder (up to, and including 3 people providing care)
- childcare on domestic (4 or more people providing care)

If you want to work part of your time as a childminder and part as childcare on domestic premises, you need to register separately as both provider types and pay 2 separate annual fees. You will need to meet the relevant requirements and clearly distinguish to parents and inspectors, if asked, what provision you are offering. You will also have separate [inspections](#). The law does not permit you to act as a childminder and childcarer on domestic premises on the same premises at the same time.

Providing childcare on domestic premises without being registered will result in you providing [unregistered childcare](#), which is an offence.

If the number of people providing, or assisting with, the childcare on domestic provision occasionally falls below 4, the provision can continue to operate. However, it must continue to meet, and will be inspected against, the group requirements. If the number of people frequently or usually falls below 4, they may prefer to operate under a childminder registration. This would avoid having to meet the group requirements all the time.

### **Agency-registered providers and Ofsted**

A registered childminder who also wants to register to provide childcare on domestic premises must hold both registrations, either with a childminder agency or

with Ofsted.

For further information, see: [agency-registered childminders and Ofsted](#).

## **Publishing your registration details**

Once registered, we automatically publish the following information on Ofsted's [find an inspection report website](#) and in our [official statistics](#):

- URN
- date of registration
- register type (for example, the Early Years Register)
- the care type (for example, childminder or home childcarer)
- conditions of registration
- available inspection reports

We will also publish your setting name and address, unless you ask us not to. If you change your mind about that, we can remove your details from the website later. To submit a request for us to remove this information, you will need to contact us from your registered email address and quote the URN for each setting affected.

## **Inspections**

If you have joined the Early Years Register, we will inspect your provision. If you have joined the Childcare Register only, we may carry out a compliance inspection.

We will usually contact you before your childcare on domestic premises inspection. The inspector will ask about how you are operating. For further information, see: [notification of inspection \(for group provision\)](#).

We will carry out a [‘no children on roll or present on the day’ inspection](#) if you are not operating.

If you are operating as a childminder, we will decide whether to do a [‘no children on roll or present on the day’ inspection](#) or inspect your childminding provision instead.

If we start to inspect you as a childminder and find that you are operating as childcare on domestic premises, we cannot continue your inspection. This is because you are operating unregistered provision. Instead, we may take [enforcement action](#). Operating while unregistered may also invalidate your public liability insurance.

You can read more about inspections below:

- [Early years inspection handbook](#)
- [Ofsted inspections: what EY providers and practitioners need to know](#)
- [Carrying out Childcare Register compliance inspections](#)
- [Education inspection framework](#)

## Telling Ofsted about changes

You must keep your details up to date with Ofsted. You must tell us about any changes in advance, where possible, but at least within 14 days of them happening. You also need to [tell us about any serious incidents](#).

Contact us from your registered email address, quoting your URN to report changes to:

- new people living or working on your premises

- where you are working
- your contact details
- your childcare hours

## **Moving or operating from additional domestic premises**

If you are a childcare on domestic premises provider and you intend to move your setting or operate from additional premises, you must [apply to register your new premises](#). This is because the premises for each daycare setting must be approved by Ofsted.

Approval to move or operate from additional settings does not require a full registration. Therefore, seeking approval does not usually take as long to complete as a full registration would. If we approve your application, you will get a new registration certificate.

Your new setting must be approved by Ofsted before it can legally begin operating. If you start operating it without approval, you will be providing unregistered childcare. This is an offence. You must have premises in order to remain registered, so you should continue working on your existing premises, where possible, until we grant approval for the new premises.

You will need to pay an approval and annual fee for each setting where childcare is provided.

If there are any new people living or working on the premises who are aged 16 or over, they must submit an [application to join a nursery or other daycare organisation](#).



## **Operating from non-domestic premises (the 50% rule)**

You can apply to spend up to 50% of your time running childcare from non-domestic premises. Non-domestic premises include places like nurseries, church halls, parts of a school or classrooms. You need to follow the same requirements as your original registration.

You can find more information here: [apply for approval to work on non-domestic premises using the EYA form](#).

## **Changes to the legal entity of your business once registered**

If the legal entity that is registered with Ofsted changes, you will need to make a new application for registration and pay an application fee for each setting affected by the change. This is because any existing registrations are attached to the previous individual or organisation. For example, this will apply if you registered as a sole trader and decide to trade as a company or if the company that registered with Ofsted becomes a charitable incorporated organisation.

The new legal entity must be granted registration by Ofsted before it begins operating. If you start operating it without approval, you will be providing unregistered childcare. This is an offence.

## **Changing the name or registered office address of your business**

When you change your business name or your registered head office address (not the childcare premises), the registered provider remains the same.

We do not need a new application. The nominated individual should notify us of the change.

## Resigning your registration

To resign your registration, contact us from your registered email address quoting the URN for each setting affected, or tell the inspector during a visit.

We will keep the published history of a childcare setting on our [reports website](#) for 5 years after the setting is listed as closed. This includes:

- your previous inspection reports (if you are only registered on the Childcare Register, previous inspection outcome letters remain online for 12 months after publication)
- details of any previous conditions of registration
- any information we have previously published about complaints or compliance action taken against you (this will remain online for 5 years after publication)

We do this so that people can view this information in case:

- you decide to register to provide childcare again after a short period
- you decide to start providing childcare at a different address
- someone else decides to register to provide childcare from the same address

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