Guidance

Role of a support person for childminders and childcare providers

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Applies to England

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Introduction

Ofsted inspects and regulates registered childminders and childcare providers to ensure they meet the requirements for registration, including the safeguarding and welfare requirements of the early years foundation stage and/or the requirements of

the General Childcare Register.

If we have reason to think a provider may not be meeting those requirements, we may use our enforcement powers. Our early years and childcare enforcement policy sets out what these are, and how and when we use them.

Sometimes we may need to speak to you if we think you may not be complying with the registration requirements. If we ask you to attend a meeting or interview, you can bring someone with you if you would like to. We refer to the person in this role as a 'support person'.

This guidance sets out who can act as a support person, and the expectations of the role.

You should also make sure you are familiar with Ofsted's code of conduct: collaborative inspection and regulation, which sets out what is expected of both providers and inspectors during our inspections and other regulatory activity.

The role of support person

The support person can accompany you, the provider, to meetings or interviews with us in relation to your early years and childcare registration and/or application. They could be a family member, friend or colleague.

If you intend to bring a support person, you must let us know in advance and tell us who they are.

You will also need to make sure they understand the expectations of the support person role, as set out below.

Expectations of the support person role

In these meetings, the support person's role is to:

- provide moral or emotional support to you during the interview
- ask for breaks on your behalf, if they think you need one (you can also ask for one)

- take notes, if appropriate (we will discuss this with you in advance)
- be a passive observer of the meeting

It is important to remember that these meetings are for us to seek information directly from you, as the registered provider or applicant, to help us address any concerns we may have with your application or registration.

This means that the support person should not:

- answer questions on your behalf
- challenge evidence on your behalf
- ask the interviewer questions
- disrupt the interview in any way

If a support person displays any of these behaviours, we will remind them of their role, and the importance of us being able to hear directly from you, as the provider or applicant. In some cases, the discussion may need to be paused or stopped. If this happens, we will speak to you about next steps.

Our code of conduct sets out our expectations of inspectors and providers during inspections and other regulatory activity.

Who can be a support person

Anyone who accompanies you as your support person must:

- be over the age of 18
- understand the expectations of the role set out above
- let us know about:
  - any current or previous registrations they have with us
  - whether they are disqualified from providing childcare
  - any potential conflicts of interest relating to Ofsted or the provider

If we believe that someone you have selected as a support person may not be suitable for the role, we will discuss this with you.

Current or previous registrations with Ofsted

We suggest that you consider whether the person you have chosen is an appropriate support person. For example, you should ask them if they hold a current Ofsted registration and are directly involved in related regulatory activity. If that is the case, you should consider whether their participation may affect the integrity or fairness of the process and we advise you to consider choosing a different support person.

Also, you should ask the person if they have previously been registered with Ofsted but had their registration cancelled and, as a result, are disqualified from providing childcare. If this is the case, you should consider whether they are suitable to carry out the role of a support person.

If the person accompanying you holds a current Ofsted registration, let us know in advance that they are registered with Ofsted.

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