

Guide to registration on the Childcare Register

Age group: Birth–17

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What do we mean by...?

Applicant

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

Childcare Act 2006

The law that sets out:

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

Childcare providers on domestic premises

People providing 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 were previously called day-care providers.

Childcare Register

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

- **the voluntary part**
Providers who are not eligible for compulsory registration may choose to register here. These are mainly people looking after children aged eight and over, or providing care in the child's home.
- **the compulsory part**
Providers must register from 1 September 2008 if they care for one or more children following their fifth birthdays until they reach their eighth birthdays.

More information about registration on the Childcare Register is available on our website (www.ofsted.gov.uk) or by contacting your local family information service (www.familyinformationservices.org.uk/contactcis/england/index.htm).

Childminder

A person who is registered to look after one or more children to whom they are not related on domestic premises for reward.

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

They:

- care for children on domestic premises that are 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 you provide care for the same child aged under eight for an hour before and an hour and a half after school then registration is due; however, if you 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.

Department for Children, Schools and Families (DCSF)

The government department responsible for the Childcare Act 2006 and the regulations that underpin it, including the law that sets out our responsibilities regarding childcare and early education. The DCSF is also responsible for the Early Years Foundation Stage, which underpins our inspections.

Domestic premises

Any premises which are wholly or mainly used as a private dwelling, that is someone's home.

Early years age group

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

Early Years Foundation Stage (EYFS)

The statutory framework for the early education and care of children from birth to the 31 August following their fifth birthday. The EYFS includes requirements for the provision of young children's welfare, learning and development that all providers must meet, as well as good practice guidance. From September 2008 the EYFS must

be delivered by all schools and early years settings that make provision for children from birth to the 31 August following their fifth birthday.

The EYFS's website is www.standards.dcsf.gov.uk/eyfs.

Early years providers

Those who are registered on the Early Years Register to provide for children from birth to the 31 August following their fifth birthday; and maintained and independent schools that provide for children of that age.¹

Early years provision

The provision of learning, development and care for children from birth to the 31 August following their fifth birthday.

Early Years Register

Unless exempt, the following must be registered by us on the Early Years Register:

- maintained and independent schools directly responsible for provision for children from birth to the age of three²
- childcarers, such as childminders, day nurseries, pre-schools and private nursery schools, which provide for children from birth to the 31 August following their fifth birthday.

For more information about registration on the Early Years Register please look on our website (www.ofsted.gov.uk) or contact your local family information service (www.familyinformationservices.org.uk/contactcis/england/index.htm).

Early years settings

Childminding, day nurseries, playgroups, children's centres, maintained schools and those in the independent, private or voluntary sector which provide for children from birth to the 31 August following their fifth birthday.

Enforcement

The action taken when requirements are not met.

¹ Schools providing for children of that age are not covered by the guidance in this framework.

² 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.

Home childcarers

A person aged 18 or over who cares for the children aged 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 following a concern or complaint to establish whether a registered provider continues to meet the requirements for registration; or whether an unregistered person is providing childcare for which registration is required.

Later years provision

The provision of childcare for children from the 1 September following their fifth birthday to the day on which the child attains the age of 18.

Ofsted

We are an independent, non-ministerial government department, which is responsible for the inspection of a range of education and children's services, and for the inspection and regulation of registered early years and childcare provision. Our original full title was the Office for Standards in Education; in April 2007 this changed to the Office for Standards in Education, Children's Services and Skills, but we continue to be known as Ofsted. For more information about us visit our website (www.ofsted.gov.uk).

Provider

A person who provides childminding or group childcare.

Qualified

The person meets prescribed requirements regarding the suitability of persons and premises and adheres to the requirements of the Early Years Foundation Stage and/or the Childcare Register and other regulations, and any condition(s) of registration.

Self-evaluation form (SEF)

Helps early years providers to evaluate their provision and gives them a structure to record the outcomes. The completed form is discussed with the inspector, usually during the inspection. The SEF can be completed online: there is also a downloadable version to print off and complete by hand.

Registered person

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

Registration

The process of checking that an applicant is suitable to care for children.

Regulation

This covers registration, inspection, investigation and enforcement.

Introduction

The Childcare Act 2006³ introduced two registers for those providing childcare: the Early Years Register and the Childcare Register. Her Majesty's Chief Inspector of Schools (HMCI) at the Office for Standards in Education, Children's Services and Skills (Ofsted) has the responsibility for maintaining these registers and regulating all those who are on them.⁴

The Childcare Register is for people for whom registration is either:

- compulsory: because they care for children aged from 1 September following their fifth birthday up to the age of eight and at least one individual child attends for a total of more than two hours in any one day
- voluntary: because they care for children for whom compulsory registration is not required, for two or more hours in any one day; or for a period less than two hours where this includes care attached to a normal school day for schools to deliver extended services.⁵ This includes:
 - home childcarers such as nannies (who care for the children of no more than two families at the home of one of the children) caring for children from birth until their eighteenth birthday
 - providers who care for children aged eight or over, until their eighteenth birthday
 - activity-based provision like sports coaching.

A list of people who are exempt from compulsory registration is set out in annex E.

This guidance explains who must apply to join the Childcare Register; who can choose to do so; and how we register those applying. It also gives information on continued registration and inspection.

Providers registered on the Childcare Register show parents who use their services that they:

- meet certain requirements relating to people, premises and provision designed to safeguard children
- are monitored through inspections we carry out on a random basis or when parents tell us they have concerns about the care.

Parents who use registered childcarers may be eligible to claim the childcare element of working tax credits.

³ This act is available from www.opsi.gov.uk/acts/acts2006/ukpga_20060021_en_1.

⁴ *Framework for the regulation of those on the Early Years and Childcare Registers* sets out our general duties as regulator; www.ofsted.gov.uk/publications/080024.

⁵ That is, care immediately before or after normal school hours.

Who applies for registration?

We have four types of childcare for which applicants can apply for registration:

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

Applicants may apply for registration as a childminder and a home childcarer on one application form if they wish to provide both types of care. Separate application forms are required for all other childcare registrations. Providers of childcare on domestic or non-domestic premises require a separate registration for each set of premises where care is provided.

Applicants may be one individual person or organisations such as:

- partnerships
- companies
- committees
- statutory bodies.

The individual or organisation providing the care is the registration holder, known as the registered person.

If you are an individual who wishes to provide childcare you must make the application yourself. You cannot get another person to do this for you. This is the case whether you are a childminder, a home childcarer or wish to provide the childcare on domestic or non-domestic premises.

When the registered person is an organisation, we ask them to appoint a nominated person to complete the application form (see below).

The registered person has overall responsibility in law for the childcare but does not have to work with children or be involved in the day-to-day organisation of the care if staff are appointed to do this. If you do not manage the childcare in person you must tell us who you have employed as a manager (see below) on your behalf.

If you are not sure if you require registration, or who should complete an application, please contact us on **08456 404040**.

The nominated person

If you are an organisation, including a group of individuals, applying to provide childcare on domestic or non-domestic premises, you should nominate a person to apply for registration and to represent the organisation in its dealings with us. Normally this should be a committee member, partner, director or someone in a comparable position. We will send all legal documents and correspondence to the

nominated person at the organisation address. However, if your organisation's main purpose is not childcare (for example, you are a manufacturing company providing care for the children of your staff) then the nominated person should be an officer of the company who has direct, delegated responsibility for the childcare.

The manager

The manager is the person who has actual day-to-day responsibility for the provision. The registered person and the manager may be the same person, but in many cases the registered person may not want to deliver the day-to-day care or may not have the qualifications, knowledge or experience to do so. In such cases he or she must appoint a manager to take control of the day-to-day delivery of childcare. This applies to childcare provision on both domestic and non-domestic premises. We will decide on the suitability of the manager to work or be in regular contact with children. However, the employment decision is made by the employer.

Types of childcare on the Childcare Register

Childminders

You must apply for registration as a childminder if you intend to provide care for one or more children aged from 1 September following their fifth birthday up to the age of eight on domestic premises, for reward and where at least one individual child attends for a total of more than two hours.

You may choose to register as a childminder if you intend to provide care for children aged from eight up to the age of 18 on domestic premises for reward for two or more hours in any one day; or for a period less than two hours where this includes care attached to a normal school day for schools to deliver extended services.⁶

Reward can be money or payment by other means, such as gifts or services.

Domestic premises mean any premises which are wholly or mainly used as a private dwelling, that is, they are someone's home. It does not have to be the childminder's home but cannot normally be the home of one of the children for whom the childminder is providing care. If you intend to look after children for one or two sets of parents wholly or mainly in the home of either or both sets of parents⁷ then you should apply as a home childcarer.

If you care for children for three or more sets of parents, at any one time, wholly or mainly in the homes of one or more sets of parents then you should apply as a childminder.

⁶ As footnote 5 above.

⁷ This is normally where two families share a nanny.

If you intend to work on domestic premises with at least three other people at any one time to provide childcare then you should apply to provide childcare on domestic premises.

Other childcare providers

Childcare provider on domestic premises

You must apply to be a childcare provider on domestic premises if you intend to work with at least three other people at any one time caring for children aged from the 1 September following their fifth birthday up to the age eight on domestic premises if at least one individual child attends for a total of more than two hours. We have a separate fact sheet that provides more information about this type of childcare.⁸

You may choose to register as a childcare provider on domestic premises if you intend to work with at least three other people at any one time caring for children aged from eight up to the age of 18 on domestic premises for two or more hours in any one day; or for a period less than two hours where this includes care attached to a normal school day..

Childcare provider on non-domestic premises

You must apply to be a childcare provider on non-domestic premises if you intend to care for children aged from the 1 September following their fifth birthday up to age eight on non-domestic premises if at least one individual child attends for a total of more than two hours. Non-domestic premises cover a wide variety of premises such as converted houses, purpose-built provision, a church or village hall.

You may choose to register as a childcare provider on non-domestic premises if you intend to care for children aged from eight up to the age of 18 on non-domestic premises for two or more hours in any one day; or for a period less than two hours where this includes care attached to a normal school day.

Home childcarers

You may choose to register as a home childcarer if you intend to care for children from birth up to the age of 18 of no more than two families, wholly or mainly at the home of one of the children for two or more hours in any one day; or for a period less than two hours where this includes care attached to a normal school day.

⁸ *Childcare on domestic premises*; www.ofsted.gov.uk/publications/080142.

Not allowed to register

You cannot register on either part of the Childcare Register if:

- you only care for a child or children who is/are related to you or for whom you have parental responsibility, including any foster children. These arrangements are not included in the definition of childcare⁹
- you are a school that provides childcare as part of its activities and at least one of the children attending is a pupil of the school. Schools providing childcare for children who are not their pupils and other providers caring for children on a school site may apply as normal
- you provide care as part of your establishment's activities in:
 - a children's home
 - a care home
 - a hospital in which a child is a patient
 - a residential family centre
 - a young offender institution or secure training centre.

Early Years Register

Childminders and childcare providers on domestic and non-domestic premises who care for children in the early years age group (aged from birth to 31 August following the child's fifth birthday) must register on the Early Years Register. We publish two guides for registration on the Early Years Register; one for childminders and one for providers of childcare on domestic or non-domestic premises.¹⁰ You may apply for registration on the Childcare Register at the same time as applying for registration on the Early Years Register by using the Early Years Register application form if you wish to provide care for children in the early years age group and older.

What we look at when deciding whether to register you

Before you can be registered we have to confirm that:

- you meet or will meet all the requirements of the Childcare Register¹¹
- you and all those we check connected with the application to register are suitable to work or be in regular contact with children

⁹ You may not apply to register to care for a child if you are the child's parent, grandparent, aunt, uncle, brother or sister (whether of full blood or half blood, or by marriage or civil partnership), or step parent.

¹⁰ *Guide to registration on the Early Years Register: childminder* (www.ofsted.gov.uk/publications/080013) and *Guide to registration on the Early Years Register: childcare provider on domestic or non-domestic premises* (www.ofsted.gov.uk/publications/080017) are available on our website and on request by ringing 08456 404040.

¹¹ A list of these requirements is included in annex B1/2.

- you have a current first aid certificate (childminders and home childcarers) or someone working with children has a current first aid certificate (childcare on domestic or non-domestic premises).¹²

How do you decide on suitability?

We will assess your suitability, and that of everyone else connected with your application for whom we have to make a decision about suitability, by considering the information on your application form and by obtaining a check known as an enhanced disclosure from the Criminal Records Bureau (CRB) for each person. Every person other than the applicant who requires checking must complete a declaration and consent form CR2 to allow us to carry out checks and use the information from them to decide on their suitability.

It may be necessary in some circumstances for us to interview people or carry out further checks.

We decide on the suitability of:

- the nominated person
- people aged 16 or over living or working on domestic premises where you provide or intend to provide childminding or childcare on domestic premises
- the manager of childcare provision on domestic or non-domestic premises
- childminder assistants or childcare staff where you provide or intend to provide childminding or childcare on domestic premises
- people who are partners, committee members, directors or hold similar roles in an organisation applying to join the compulsory or voluntary part of the Childcare Register, as a childcare provider on domestic premises
- people who are partners, committee members, directors or hold similar roles in an organisation applying to join the compulsory part of the Childcare Register, as a childcare provider on non-domestic premises, where the organisation's main purpose is childcare. If your organisation's main purpose is not childcare (for example, you are a manufacturing company providing care for the children of your staff) then we only check the nominated person.

If you, or other people associated with the application, have lived abroad in the past five years you should tell us the countries you have lived in on the application form or declaration and consent form. The CRB 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:

¹² There is more information about first aid in annex C.

- a certificate of good conduct 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.

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

Is there a charge for applying?

All applicants pay a non-refundable application fee which is set by the Government.¹³

Childcare providers on domestic or non-domestic premises registering on the voluntary part of the Childcare Register pay a CRB disclosure fee for themselves and other persons associated with their registration. Please see annex A for the current application and CRB fees.

Providers must also pay an annual fee for continued registration. Under current legislation the annual fee is payable in addition to fees for other types of childcare that Ofsted has registered. The Government will set the amount of this fee each year. We will send you a request for payment when this is due.

Providers of childcare on domestic or non-domestic premises must pay an application fee and an annual fee for each set of premises where they provide care.

Applying to register – the process

If you decide you want to apply to be on the Childcare Register you can apply online (see below) or ask us for an application form to complete. Application forms are available from our National Business Unit by telephoning 08456 4040404 or writing to us at Ofsted NBU, Royal Exchange Building, St Ann's Square, Manchester M2 7LA.

¹³ The Childcare (Fees) Regulations 2008 [No.1804];
www.opsi.gov.uk/si/si2008/uksi_20081804_en_1.

We will give you help to complete an application if you have problems with either of these methods of applying. You may also ask your local authority for help.¹⁴

Whatever way you apply, we will write to you to let you know we have received your application. The letter will include details on how to:

- obtain an enhanced CRB disclosure through us, for yourself and others associated with your application, unless you already hold a disclosure carried out by us within the past three years
- obtain an enhanced CRB check for the staff of childcare providers on non-domestic premises (annex D provides further information)
- arrange a check of your identity, the first aid qualification and any other information we need at your local post office¹⁵
- pay the non-refundable application fee
- provide any further information we need to decide on your suitability to provide childcare.

Once we have received your application and the fee we carry out checks on you and any others connected with the application. If you have confirmed that you meet the relevant requirements, and we find everyone associated with your registration is suitable to work or be in contact with children, we will register you. Otherwise we refuse registration. The process takes about 12 weeks, and may take longer if we have to obtain references from abroad. It can take less time if we already hold CRB checks on some or all of the people connected with the application.

Applying online

Online applications are the quickest and easiest way to apply for registration.

You can apply online from our website www.ofsted.gov.uk, through the Ofsted Online Portal. Access to Ofsted's online services is managed via the Government Gateway. This is a secure system to protect the data and information you give us, used by a number of government departments, such as Her Majesty's Revenue and Customs.

To apply online you must first sign up for a Government Gateway account, if you do not already hold 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.

¹⁴ Local authorities have responsibility for providing advice and support to applicants and childcare providers.

¹⁵ You should ensure that a relevant first aid certificate and identity documents are available before you apply. Please see annex C for guidance on first aid certificates.

Once you have an account, you can then access a range of Ofsted services including an online application for the Childcare Register.

Is there anything that could prevent me from being registered?

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

Disqualification

Some people are disqualified from registration or from working with children, for example if they have committed certain offences. We cannot register you to provide childcare if:

- you are disqualified
- anyone who is part of the organisation applying to provide registered childcare, such as a partner, director or committee member, is disqualified
- you, or anyone who is part of the organisation, live with someone who is disqualified
- someone who lives on the premises where childcare is provided is disqualified.

You cannot employ anyone to work with children if they are disqualified, or live with a disqualified person. It is an offence if you do so knowingly.

People are disqualified from registration if they have, or anyone they live with has, been:

- convicted or charged with (or found to have committed) an offence against a child
- convicted or charged with (or found to have committed) certain offences against an adult
- placed on the Protection of Children Act 1999 (PoCA) list of persons considered unsuitable to work with children
- made the subject of a direction under section 142 of the Education Act 2002 that they are considered not fit and proper persons to work with children, known as List 99
- made the subject of a disqualification order¹⁶

¹⁶ Part II of the Criminal Justice and Court Services Act 2000 gives the power to a senior court (Crown court, the Court of Appeal, a court-martial or the Court-Martial Court) to make an individual the subject of a disqualification order if, in its opinion, the convicted individual is likely to commit offences against children.

- made the subject of an order where a child has been removed from his/her care or been prevented from living with him/her
- refused registration previously or had a registration cancelled.

If you think that you, someone in the organisation you represent, or a person you are considering employing, may be disqualified, you can talk to us confidentially by ringing **08456 404040**.¹⁷

In some circumstances the disqualified person may be able to have the disqualification waived. Please contact us if you wish to apply for a waiver. Each individual must apply for a waiver in his or her own right. You cannot apply on behalf of someone else.

If you wish to employ someone you know is disqualified, they must first apply to us to waive disqualification. Only if we agree to do so can you employ them to care for children.

We cannot waive a disqualification:

- for people who are included on the PoCA list of disqualified people or have been made the subject of a direction on certain grounds under section 142 of the Education Act 2002 (List 99)
- in some cases where people have been made subject of an order made on certain grounds under the Criminal Justice and Court Services Act 2000.

Suitability

Sometimes we refuse registration because an individual is unsuitable or is unable to provide sufficient evidence of his or her suitability (see section titled 'how do you decide on suitability?' above).

Before we do this we will normally do one or more of the following:

- ask you or the individual concerned for extra information
- carry out additional checks
- interview you or the individual concerned.

Failure to pay the fee

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

¹⁷ There is more information about disqualification and waiver in our leaflet *Disqualification – How to apply for consent to waive disqualification*; www.ofsted.gov.uk/publications/080054.

Failure to agree to the requirements of the register

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

What will happen if we refuse registration?

If we are going to refuse your application we will first write to you to let you know that this is our intention. We do this in a letter called a notice of intention. This is a legal document that sets out the reasons why we intend to refuse registration. You have a right to object to our intention to refuse registration and we will tell you how to do this in the letter we send you. If you do object we will consider your objections and then write again to tell you whether or not we still decide to refuse registration.

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.

You have the right to appeal against our decision to an independent external body, the Care Standards Tribunal. We will send you a leaflet on how to object and appeal if we intend to refuse registration.¹⁸

Can I withdraw my application to register?

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

What happens after registration?

When we grant your application for registration, we issue a certificate. This is your proof that you are registered on the Childcare Register. You may not begin caring for children, where compulsory registration is required, until you receive your certificate. Childminders and providers of childcare on domestic or non-domestic premises must display the certificate on the premises so parents can read it. Home childcarers must show the certificate to parents on request.

¹⁸ The leaflet *Objections and appeals* is available on our website; www.ofsted.gov.uk/publications/070070.

If you lose or destroy your certificate you will need to pay a charge to get a replacement. Details of fees are included in annex [A](#).

Sometimes we might include conditions on your certificate of registration. Conditions restrict or provide permission for the provider to operate in a particular way such as limiting the number of children for whom a provider may care. We can add new conditions, change existing ones or remove conditions at any time during your registration. If you do not agree with any conditions we impose after registration you have the same rights of objection and appeal as outlined above in the section 'what will happen if we refuse registration?'.

Once you are registered you must continue to meet the requirements for registration that you confirmed on your application form. We will send you a list of these requirements with your registration certificate. In brief, these relate to:

- the welfare of the children being cared for
- the arrangements for safeguarding children
- the suitability of persons to care for, or be in regular contact with children
- qualifications and training¹⁹
- the suitability and safety of premises and equipment
- how the childcare provision is organised
- the procedures for dealing with complaints
- the records to be kept
- providing information to parents
- providing information to Ofsted
- any changes to premises and provision
- any changes to people
- matters affecting the welfare of children
- insurance
- certificate of registration.

For a full list please see annex B1 for childminders and annex B2 for childcare providers.

Will I be inspected?

We will not carry out an inspection before we grant your application for registration. However, once you are registered, we may inspect you at any time while your registration is current. We will inspect a random selection of all those on the Childcare Register and will always inspect if we receive a complaint about your childcare provision that relates to the requirements of registration or any conditions we may have imposed on your registration.

¹⁹ There is more information on qualification and training requirements in annex B1/2.

If you are a home childcarer we will seek permission from the occupier of the premises where you work to enter the premises and inspect your provision.

We inspect providers with little or no notice. You should be ready for inspection at all times by meeting the requirements for continued registration. If we decide to inspect you, an inspector will visit your provision to check compliance against the requirements and will give you feedback on the outcome of the inspection. If you have not met one or more of the requirements the inspector will tell you what needs to be put right and will explain what happens next.

At the inspection visit, the inspector will:

- talk to you, the children and any staff members and observe your provision to make sure your policies are being put into practice
- check registration details and assess your compliance with, and understanding of, the requirements of registration
- assess the safety of your premises and your risk assessment
- assess any staff's understanding of policies and procedures
- look at your recruitment policies, where applicable
- look at your arrangements for making sure unvetted people do not have unsupervised access to children.

Following any inspection you will receive either a letter confirming that you were meeting your requirements for registration or a letter detailing what must be done in order to remain registered. In line with other inspection reports on childcare, we publish these letters on our website within 20 days of the end of the inspection, and a copy is sent to your local authority. We will also send a copy to the complainant if applicable. We do not publish the names and addresses of childminders or home childcarers on our website. The law requires you:

- to give each parent of children attending a copy of the report
- to provide any other person who asks you with a copy of the report.

Compliance with the requirements of the register

If, once you are registered, we have reason to believe that you are not complying with the requirements or any conditions of registration, we will take steps to deal with this. The requirements are listed in annex B. In most cases we can ensure compliance by telling providers what they must do and by when. This is known as 'setting actions'. However, we have a range of enforcement measures we can take.²⁰

If we have reason to believe that children in your care are, or may be, at risk of harm, we will suspend your registration to allow time for the risk to be removed or to

²⁰ There is more information on our enforcement powers in the *Framework for the regulation of those on the Early Years and Childcare Registers*; www.ofsted.gov.uk/publications/080024.

allow time to investigate the circumstances. Ultimately we may decide to cancel your registration if we have reason to believe that you have:

- failed to comply with the requirements of registration, or
- failed to comply with a condition we have imposed on your registration, or
- failed to pay the annual fee.²¹

We may, in rare cases, decide to caution or prosecute any registered person that commits an offence under the relevant parts of the Childcare Act 2006. This includes failure to comply with a condition of registration.

We will inform other agencies such as the police or local authority if we receive information related to child protection.

How we use information related to your registration

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.

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.

We have a duty to provide information about childcare providers to local authorities so they can fulfil their role in relation to children's services and to Her Majesty's Revenue and Customs in relation to tax credits. We may supply information about childcare providers to other government and local authority departments, for example environmental health.

We may also give information to parents who have, or have had, a child looked after by a childcare provider. 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.

We publish information related to your registration on our website, www.ofsted.gov.uk. This includes your conditions of registration, inspection reports and letters, survey letters and monitoring letters. We do not publish the names and addresses of childminders or home childcarers.

²¹ The Childcare (Fees) Regulations 2008.

What should I do if I no longer wish to be included on the Childcare Register?

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

I am registered on the Early Years Register. How does that affect my inspection and certificate?

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

If you are also registered on the Early Years Register we will inspect your compliance with the requirements of the Childcare Register at the same time that we carry out the inspection of the Early Years Foundation Stage (EYFS). We will include a statement of your compliance with the requirements of the Childcare Register in that report.²²

We may also carry out a separate inspection of compliance with the requirements of the Childcare Register if we receive a complaint 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 must be done in order to remain registered. In addition to your early years inspection report we will publish this letter on our website within 20 days of the end of the inspection and send a copy to your local authority and to the person who made the complaint.

²² There is more information about inspection of the EYFS in *Are you ready for your inspection?*; available from www.ofsted.gov.uk/publications/080023 or on request by telephoning 08456 404040.

Annex A: paying fees

The Childcare Register is intended to be a full cost recovery scheme. An application fee is charged for registration on the Childcare Register. The requirement to pay a fee and the amount due are set in law. The charges are:

- £103 for childminders and home childcarers
- £114 for providers of childcare on domestic or non-domestic premises.

Criminal Records Bureau (CRB) disclosure fee is:

- £36 for an applicant to provide childcare on domestic or non-domestic premises
- £44 for anyone else who requires a check such as a manager of childcare on domestic or non-domestic premises, or any other individuals directly providing care in the category of childcare on domestic premises. This includes an £8 payment for the use of the Veri-fy service.

At present these fees only apply to the voluntary part of the Childcare Register.

The Department for Children, Schools and Families currently subsidises the cost of CRB checks for some people connected with applications to join the Childcare Register. These are:

- those applying to provide childminding on both parts of the Childcare Register
- those applying to provide home childcare on the voluntary part of the Childcare Register
- those applying to provide childcare on domestic and non-domestic premises on the compulsory part of the Childcare Register
- people who live or work on domestic premises on the compulsory part of the Childcare Register. This includes any assistants or employees who care for children
- people who live or work on childminding premises on both parts of the Childcare Register. This includes any assistants or employees who care for children.

These people do not have to pay for a CRB disclosure.

Annual fee

An annual fee is payable on the anniversary of the date you were registered. The fee is set by the Government each year.

The current annual fee payable on the anniversary of your registration date is:

- £103 for childminders and home childcarers
- £114 for providers of childcare (on domestic or non-domestic premises).

Replacement certificate fee

It is a requirement of your registration that you display the certificate, or in the case of home childcarers show the certificate to parents on request. If you lose, damage or destroy your certificate, you will need to get a replacement. The current fee for all providers for this service is £7. Please contact us on 08456 404040 if you wish to request a replacement certificate.

Annex B1: requirements for the Childcare Register – childminders and home childcarers

Introduction

Annex B1 describes the requirements set out in regulations for both parts of the Childcare Register (compulsory and voluntary). If providers choose to be included on either part of the register they must meet these requirements at all times when providing childcare.

The law allows Ofsted to carry out inspections to check that providers comply with these requirements.

You will notice we have numbered the requirements. The requirements are not numbered in the regulations document but we have found the numbering a useful reference tool. The documents the inspector will use at your visit will have the same reference numbers.

Welfare of the children being cared for

Req. ref.	Requirement	On which part of the Childcare Register
CR1.1	Childminders and home childcarers must ensure that children receiving childcare are kept safe from harm.	Both parts
CR1.2	Childminders and home childcarers must ensure that they have an appropriate first aid qualification.	Both parts
CR1.4	Childminders and home childcarers must ensure that they do not use corporal punishment.	Both parts
CR1.5	Childminders must ensure that no person caring for children, or living or working on the premises where the childcare is provided, uses corporal punishment.	Both parts
CR1.6	Childminders and home childcarers must ensure that they are present on the premises at all times when childcare is being provided.	Both parts
CR1.8	Childminders must ensure that no person smokes, or consumes or is under the influence of drugs (including medication that may have an adverse effect on the individual's ability to provide childcare) or alcohol: <ul style="list-style-type: none"> ■ on the premises at any time while childcare is provided, or ■ in the presence of a child receiving childcare. 	Both parts

CR1.9	Home childcarers must not smoke, or consume or be under the influence of drugs (including medication that may have an adverse effect on their ability to provide childcare) or alcohol while providing childcare.	Voluntary part of the Childcare Register only
CR1.10	Childminders and home childcarers must be aged 18 or over and childminders must ensure that any person aged under 18 caring for children is supervised at all times by a person who has attained the age of 18.	Both parts
CR1.11	For every six children for whom the childminding is provided, at least one person providing care must have attained the age of 18.	Compulsory part of the Childcare Register only

Arrangements for safeguarding children

CR2.1	Childminders must keep and implement a written statement of procedures to be followed for the protection of children, intended to safeguard the children being cared for from abuse or neglect.	Both parts
CR2.2	Home childcarers must ensure they are familiar with issues of child protection and procedures to safeguard children from abuse or neglect.	Both parts
CR2.3	Childminders must ensure that any person having unsupervised contact with children is suitable to be in regular contact with children and an enhanced CRB check has been obtained through Ofsted in respect of that person.	Both parts

Suitability of persons to care for, or be in regular contact with, children

CR3	<p>Childminders must have effective systems to ensure that any person caring for children:</p> <ul style="list-style-type: none"> ■ is suitable to work with children which must include obtaining an enhanced CRB check through Ofsted ■ is of integrity and good character ■ has skills and experience suitable for the work ■ is physically and mentally fit for the work. 	Both parts
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Qualifications and training

CR4.1	Childminders must ensure that they successfully complete, within 6 months of registration, a course approved by an English local authority designed to enable the childminder meet the requirements of registration (unless they have already done so).	Compulsory part of the Childcare Register only
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CR4.2	<p>Childminders and home childcarers must have successfully completed a:</p> <ul style="list-style-type: none"> ■ qualification at a minimum of level 2 in an area of work relevant to childcare, or ■ training in the core skills as set out in the document 'common core of skills and knowledge for the children's workforce'. 	Voluntary part of the Childcare Register only
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Suitability and safety of premises and equipment

CR5.1	Childminders must ensure the premises and equipment used for the purposes of the childcare are safe and suitable for that childcare.	Both parts
CR5.2	Childminders must ensure that a child is unable to leave the premises unsupervised except where the childcare is open access childcare or, in the case of older children, where the registered person has agreed with the parent of the child that he or she may leave the provision unaccompanied.	Both parts
CR5.3	Childminders must ensure that no one can enter the premises without the knowledge of a person who is caring for children on the premises.	Both parts
CR5.4	<p>Childminders must undertake a risk assessment of the premises and equipment:</p> <ul style="list-style-type: none"> ■ at least once in each calendar year, and ■ immediately, where the need for an assessment arises. <p>Childminders must ensure that all necessary measures are taken to minimise any identified risks.</p>	Both parts
CR5.5	Home childcarers must advise parents/guardians/carers of any health and safety risks.	Voluntary part of the Childcare Register only

How the childcare provision is organised

CR6.1	Childminders must make arrangements with other childcare providers or with parents for occasions on which the registered person is not able to provide childcare.	Both parts
CR6.2	Childminders and home childcarers must ensure that children's behaviour is managed in a suitable manner.	Both parts

CR6.3	Childminders and home childcarers must ensure that where older and younger children are together, the behaviour of children over the age of eight years does not have a negative effect on the younger children.	Both parts
CR6.4	Childminders and home childcarers must ensure that the childcare is accessible and inclusive by taking all reasonable steps to ensure that the needs of each child, relating to their childcare, are met.	Both parts
CR6.5	<p>Childminders and home childcarers must ensure that the childcare is accessible and inclusive by not refusing to provide childcare or treat any child less favourably than another child by reason of the child's:</p> <ul style="list-style-type: none"> ■ race ■ religion ■ home language ■ family background ■ gender, or ■ disability and/or learning difficulty ■ taking all reasonable steps to ensure children with disabilities have access to the premises. 	Both parts

Procedures for dealing with complaints

CR7.1	Childminders must have a written statement of procedures to be followed in relation to complaints which relate to the requirements of the Childcare Register and which a parent makes in writing or by email.	Both parts
CR7.2	Childminders must ensure that each complaint is fully investigated.	Both parts
CR7.3	Childminders must keep a written record, for a period of two years, of these complaints including the outcome of the investigation and the action the provider took in response.	Both parts
CR7.4	Childminders must inform the parent who made the complaint (in writing or by email if the parent requests this) of the outcome of the complaint, within 20 days of the date the complaint was made.	Both parts
CR7.5	Childminders must make available to Ofsted, on request, a summary of complaints made in relation to the requirements during the past 12 months and the action that was taken as a consequence.	Both parts
CR7.6	Childminders must produce for Ofsted, on request, a list of such complaints made during the previous two years.	Both parts

Records to be kept

CR8	<p>Childminders must keep records of the following and retain them for a period of two years:</p> <ul style="list-style-type: none"> ■ the name, home address and date of birth of each child who is looked after on the premises ■ the name, home address and telephone number of a parent/guardian/carer of each child who is looked after on the premises ■ a daily record of the names of the children looked after on the premises and their hours of attendance ■ accidents which involve the children being cared for occurring on the premises where childcare is provided ■ any medicine administered to any child who is cared for on the premises, including the date and circumstances and who administered it, including medicine which the child is permitted to self-administer, together with a record of a parent/guardian/carer's consent ■ the name, home address and telephone number of every person living or working on the premises on which childcare is provided (or the part of the premises where the childcare is held, in the case of premises such as community/leisure centres, where only parts of the premises are used for childcare). 	Both parts
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Providing information to parents

CR9.1	<p>Childminders must make the following information available to parents:</p> <ul style="list-style-type: none"> ■ information about the activities the children will undertake ■ copies of the written statements of safeguarding procedures and complaints procedures. 	Both parts
CR9.3	<p>Childminders and home childcarers must make the following information available to parents:</p> <ul style="list-style-type: none"> ■ information about the registration system for the voluntary part of the Childcare Register ■ Ofsted's address. 	Both parts

Providing information to Ofsted

CR10	<p>Childminders and home childcarers must inform Ofsted of changes of circumstance as soon as they can (no later than 14 days after the change occurs).</p>	Both parts
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Changes to premises and provision

CR11	<p>Childminders and home childcarers must inform Ofsted of the following:</p> <ul style="list-style-type: none"> ■ a change to the address of the premises where they are providing childcare ■ a change in the type of childcare they provide, for example if someone is registered as a childminder, and starts to care for a child or children in the home of the child (this is called home childcare). 	Both parts
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Changes to people

CR12	<p>Childminders and home childcarers must inform Ofsted of the following:</p> <ul style="list-style-type: none"> ■ any change to their name, address or telephone number ■ any significant event which is likely to affect their suitability or that of any person caring for children on the premises, such as any offences or orders that may disqualify them. 	Both parts
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Matters affecting the welfare of children

CR13	<p>Childminders must inform Ofsted of the following*:</p> <ul style="list-style-type: none"> ■ any incident of food poisoning affecting two or more children in the provider's care ■ any serious accident or injury to, or the death of any child while receiving childcare ■ any serious accident or injury to, or the death of, any other person on the premises on which childcare is provided ■ any allegation of serious harm to, or abuse of, a child committed by any person looking after children at the premises (whether that allegation relates to harm or abuse committed on the premises or elsewhere), or by any person, where the allegation relates to harm or abuse occurring on those premises. <p>*Home childcarers are only required to report the above events if they occur while they are providing childcare.</p>	Both parts
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Insurance

CR14.1	<p>Childminders and home childcarers must be covered by their own insurance in respect of liability which may be incurred for death, injury, public liability, damage or other loss.</p>	Both parts
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Certificate of registration

CR15.1	Childminders must: <ul style="list-style-type: none"> ■ display the certificate of registration in the premises on which childcare is provided ■ display any notice of suspension of registration. 	Both parts
CR15.2	Home childcarers must: <ul style="list-style-type: none"> ■ show the certificate of registration to a parent on request. 	Voluntary part of the Childcare Register only

All childcare providers must also comply with other relevant legislation including that covering health and safety, disability discrimination, food hygiene, fire and planning requirements.

Annex B2: requirements for the Childcare Register - childcare providers on non-domestic or domestic premises

Introduction

Annex B2 describes the requirements set out in regulations for both parts of the Childcare Register (Compulsory and Voluntary). If providers choose to be included on either part of the register they must meet these requirements at all times when providing childcare.

The law allows Ofsted to carry out inspections to check that providers comply with these requirements.

You will notice we have numbered the requirements. The requirements are not numbered in the regulations document but we have found the numbering a useful reference tool. The documents the inspector will use at your visit will have the same reference numbers.

Welfare of the children being cared for

Req. ref.	Requirement	On which part of the Childcare Register
CR1.1	The registered person must ensure that children receiving childcare are kept safe from harm.	Both parts
CR1.3	The registered person must ensure that at least one person who is caring for children has an appropriate first aid qualification.	Both parts
CR1.4	The registered person must ensure that they do not use corporal punishment.	Both parts
CR1.5	The registered person must ensure that no person caring for children, or living or working on the premises where the childcare is provided, uses corporal punishment.	Both parts
CR1.7	The registered person must ensure that at least two suitable persons who have attained the age of 18 are present on the premises at all times.	Both parts

CR1.8	The registered person must ensure that no person smokes, or consumes or is under the influence of drugs (including medication that may have an adverse effect on the individual's ability to provide childcare) or alcohol: on the premises at any time while childcare is provided, or in the presence of a child receiving childcare.	Both parts
CR1.10	The registered person must ensure that any person aged under 18 caring for children is supervised at all times by a person who has attained the age of 18.	Both parts
CR1.12	For every eight children for whom the childcare is being provided, at least one person who has attained the age of 18 cares for such children.	Compulsory part of the Childcare Register only

Arrangements for Safeguarding Children

CR2.1	The registered person must keep and implement a written statement of procedures to be followed for the protection of children, intended to safeguard the children being cared for from abuse or neglect.	Both parts
CR2.3	The registered person must ensure that no individual who is unsuitable to work with children has unsupervised access to a child receiving childcare.	Both parts

Suitability of persons to care for, or be in regular contact with, children

CR3	The registered person must have effective systems to ensure that the registered person and any person caring for, or in regular contact with children: <ul style="list-style-type: none"> ■ is suitable to work with children which must include obtaining an enhanced CRB check ■ is of integrity and good character ■ has skills and experience suitable for the work ■ is physically and mentally fit for the work. 	Both parts
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Qualifications and training

CR4.3	<p>The Registered Person will ensure that:</p> <ul style="list-style-type: none"> ■ at least half of all persons caring for children have successfully completed a qualification at a minimum of level 2 in a relevant area of work*, and ■ the manager has a qualification at a minimum of level 3 in a relevant area of work as set out in the National Qualifications Framework and determined by the Qualifications and Curriculum Authority* <p>* Childcare providers on domestic premises who were registered as childminders immediately before 1 September 2008 have until 1 September 2011 to comply with these requirements where they have informed us by 1 September 2008.</p>	Compulsory part of the Childcare Register only
CR4.4	<p>The Registered Person must ensure that at least one person has successfully completed a:</p> <ul style="list-style-type: none"> ■ qualification at a minimum of level 2 in an area of work relevant to the childcare, or ■ training in the core skills as set out in the document 'common core of skills and knowledge for the children's workforce'. 	Voluntary part of the Childcare Register only

Suitability and safety of premises and equipment

CR5.1	The registered person must ensure that the premises and equipment used for the purposes of the childcare are safe and suitable for that childcare.	Both parts
CR5.2	The registered person must ensure that a child is unable to leave the premises unsupervised except where the childcare is open access childcare, or in the case of older children, where the registered person has agreed with the parent of the child that they may leave the provision unaccompanied.	Both parts
CR5.3	The registered person must ensure that no one can enter the premises without the knowledge of a person who is caring for children on the premises.	Both parts

CR5.4	<p>The registered person must undertake a risk assessment of the premises and equipment:</p> <ul style="list-style-type: none"> ■ at least once in each calendar year, and ■ immediately, where the need for an assessment arises <p>The registered person must ensure that all necessary measures are taken to minimise any identified risks.</p>	<ul style="list-style-type: none"> • Both parts
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How the childcare provision is organised

CR6.1	<p>The registered person must make arrangements with other childcare providers or with parents for occasions on which the registered person is not able to provide childcare.</p>	Both parts
CR6.2	<p>The registered person must ensure that children's behaviour is managed in a suitable manner.</p>	Both parts
CR6.3	<p>The registered person must ensure that where older and younger children are together, the behaviour of children over the age of eight years does not have a negative effect on the younger children.</p>	Both parts
CR6.4	<p>The registered person must ensure that the childcare is accessible and inclusive by taking all reasonable steps to ensure that the needs of each child, relating to their childcare, are met.</p>	Both parts
CR6.5	<p>The registered person must ensure that the childcare is accessible and inclusive by not refusing to provide childcare or treat any child less favourably than another child by reason of the child's:</p> <ul style="list-style-type: none"> ■ race ■ religion ■ home language ■ family background ■ gender, or ■ disability and/or learning difficulty <p>taking all reasonable steps to ensure children with disabilities to have access to the premises.</p>	Both parts

Procedures for dealing with complaints

CR7.1	<p>The registered person must have a written statement of procedures to be followed in relation to complaints which relate to the requirements of the Childcare Register and which a parent makes in writing or by email.</p>	Both parts
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CR7.2	The registered person must ensure that each complaint is fully investigated.	Both parts
CR7.3	The registered person must keep a written record, for a period of two years, of these complaints including the outcome of the investigation and the action the provider took in response.	Both parts
CR7.4	The registered person must inform the parent who made the complaint (in writing or by email if the parent requests this) of the outcome of the complaint, within 20 days of the date the complaint was made.	Both parts
CR7.5	The registered person must make available to Ofsted, on request, a summary of complaints made in relation to the requirements during the past 12 months and the action that was taken as a consequence.	Both parts
CR7.6	The registered person must produce for Ofsted, on request, a list of such complaints made during the previous two years.	Both parts

Records to be kept

CR8	<p>The registered person must keep records of the following and retain them for a period of two years:</p> <ul style="list-style-type: none"> ■ the name, home address and date of birth of each child who is looked after on the premises ■ the name, home address and telephone number of a parent/guardian/carer of each child who is looked after on the premises ■ a daily record of the names of the children looked after on the premises and their hours of attendance ■ accidents which involve the children being cared for occurring on the premises where childcare is provided ■ any medicine administered to any child who is cared for on the premises, including the date and circumstances and who administered it, including medicine which the child is permitted to self-administer, together with a record of a parent/guardian/carer's consent ■ the name, home address and telephone number of every person living or working on the premises on which childcare is provided (or the part of the premises where the childcare is held, in the case of premises such as community/leisure centres, where only parts of the premises are used for childcare). 	Both parts
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Providing information to parents

CR9.1	<p>The registered person must make the following information available to parents:</p> <ul style="list-style-type: none"> ■ information about the activities the children will undertake ■ copies of the written statements of safeguarding procedures and complaints procedures. 	Both parts
CR9.2	<p>The registered person must make the following information available to parents:</p> <ul style="list-style-type: none"> ■ a statement to tell parents that the childcare is open access. 	Voluntary part of the Childcare Register only

CR9.3	<p>The registered person must make the following information available to parents:</p> <ul style="list-style-type: none"> ■ information about the registration system for the compulsory and/or voluntary parts of the Childcare Register ■ Ofsted's address. 	Both parts
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Providing information to Ofsted

CR10	<p>The registered person must inform Ofsted of changes of circumstance as soon as they can (no later than 14 days after the change occurs).</p>	Both parts
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Changes to premises and provision

CR11	<p>The registered person must inform Ofsted of the following:</p> <ul style="list-style-type: none"> ■ a change to the address of the premises where they are providing childcare. ■ a change in the type of childcare they provide, for example if someone is registered as a childminder, and starts to care for a child or children in the home of the child (this is called home childcare). 	Both parts
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Changes to people

CR12	<p>The registered person must inform Ofsted of the following:</p> <ul style="list-style-type: none"> ■ any change to their name, address or telephone number ■ any significant event which is likely to affect their suitability or any person caring for children on the premises, such as any offences or orders that may disqualify them. 	Both parts
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Matters affecting the welfare of children

CR13	<p>The registered person must inform Ofsted of the following:</p> <ul style="list-style-type: none"> ■ any incident of food poisoning affecting two or more children in the provider's care ■ any serious accident or injury to, or the death of any child while receiving childcare ■ any serious accident or injury to, or the death of, any other person on the premises on which childcare is provided ■ any allegation of serious harm to, or abuse of, a child committed by any person looking after children at the premises (whether that allegation relates to harm or abuse committed on the premises or elsewhere), or by any person, where the allegation relates to harm or abuse occurring on those premises. <p>(Home childcarers are only required to report the above events if they occur while they are providing childcare.)</p>	Both parts
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Insurance

CR14.2	The registered person must be covered by insurance in respect of liability which may be incurred for death, injury, public liability, damage or other loss.	Both parts
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Certificate of registration

CR15.1	<p>The registered person must:</p> <ul style="list-style-type: none"> ■ display the certificate of registration on the premises on which childcare is provided ■ display any notice of suspension of registration. 	Both parts
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All childcare providers must also comply with other relevant legislation including that covering health and safety, disability discrimination, food hygiene, fire and planning requirements.

Annex C: first aid guidance

It is important that childcare provision is safe. Providers must have measures in place to prevent and minimise injuries to children and take precautions to avoid infection. Regulations for the Childcare Register require the childminder or home childcarer to have a first aid qualification; and for the registered person for childcare on domestic or non-domestic premises to ensure that at least one person caring for children on the premises has a first aid qualification which is appropriate to the ages of the children for whom childcare is provided and to the nature of the provision.

First aid provision must be available at all times that children are cared for either on the childcare premises or off the premises on visits and outings.

The registered provider is responsible for ensuring these requirements are met.

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

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

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

Question and answers

What are the requirements?

1. For a person registering as a childminder or home childcarer the regulations require that:
 - 'The applicant has a first aid qualification which is appropriate to the ages of the children for whom childminding is provided and to the nature of the provision.'
2. For a person registering a childcare provider the regulations require that:
 - 'At least one person caring for children on the premises on which childcare is being provided has a first aid qualification which is appropriate to the ages of the children for whom childcare is provided and to the nature of the provision.'

Who needs to have a certificate?

3. If the applicant is registering as a childminder or home childcarer then they must have a first aid certificate.
4. For childcare providers the registered person does not necessarily have to have a first aid certificate. However, they must ensure that at least one person who is engaged in caring for the children has a first aid qualification and is on the premises at all times while childcare is being delivered and is present on any visits. For some providers this is likely to mean having several members of staff trained. It is good practice to consider the following in relation to people selected to be first aiders: reliability and communication skills; aptitude and ability to absorb new knowledge and learn new skills; and the ability to cope with stressful and physically demanding emergency procedures.

How often does the certificate need to be renewed?

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

How long should a course take?

6. There is no set minimum length of time for a first aid course for the voluntary part of the Childcare Register. Many standard courses take 12 hours to complete. It may be possible for childcarers to undertake an intensive course in less than 12 hours. However, the childcarer must ensure that the course covers all of the criteria specified below and that they receive adequate practical training. The outcomes of the course should be that the childcarer can demonstrate independently how they would handle each of the conditions specified below.
7. People who are renewing their certificate after three years may feel that a shorter course will suffice. However, they should ensure that it still covers all of the criteria specified and provides sufficient practical training to refresh skills and learn any new techniques.

What is a sufficient level of practical training?

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

What is an appropriate first aid certificate?

9. Providers must determine whether their first aid training is appropriate based on the type of care they provide. An 'appropriate' first aid certificate will depend on the type of provision being offered. For example, what is appropriate for a nanny caring for young children may be different to an activity-based provider caring for older children. As a minimum, a certificate should meet the criteria set out below. Providers need to consider whether it would be appropriate to have additional training.
10. Childcare that features certain activities or that provides for children with disabilities may need to have people with specific first aid training. Providers are responsible for determining whether specific additional first aid training is needed. Providers may want to contact their relevant professional bodies for advice on what they recommend.

Who needs paediatric and who needs adult first aid certificates?

11. The need for a paediatric or an adult first aid certificate will depend upon the ages of the children for whom care is provided. Childcarers who care for children who have not yet reached puberty should have a paediatric first aid certificate. Childcarers who care for children who have reached puberty should have an adult first aid certificate. Childcarers who care for a wide age range of children may need to have both adult and paediatric training.

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

12. We will accept any certificate which meets the minimum criteria below for registration. However as set out above providers are responsible for determining whether specific additional first aid training is needed.

How will Ofsted inspect first aid certificates?

13. Providers are responsible for demonstrating to Ofsted that they have met all of the registration requirements. As part of an application, applicants must declare that they have met the first aid requirements. Applicants must then produce a relevant first aid certificate at a local post office, during their identity check. For childminders this must be their own certificate. For other providers this may be the certificate of a member of staff who will be responsible for first aid.
14. When we visit the childcare provider to check that the requirements are being met the inspector will expect to see the first aid certificates of the relevant member(s) of staff (those who are caring for children and have first aid certificate(s) at that point). We may also request further details of the course content or evidence that it is local authority, Health and Safety Executive (HSE) or Qualifications and Curriculum Authority (QCA) approved.

What additional first aid equipment and materials are required?

15. Providers must have available the proper materials and equipment which should be clearly labelled, secured away from children and easily accessible to the first aider. Additional first aid equipment may be needed for sports activities or high risk activities.
16. There is no mandatory list of items for a first aid box. However the Health and Safety Executive website provides some helpful guidance on the minimum provision of first-aid items (where there is no special risk identified).

Criteria for an appropriate first aid certificate

1. Generalist first aid certificates that are the normal requirements for employers, although required in work settings, are not sufficient for working with children and babies.
2. For settings that provide care to children who have not reached puberty childcarers should have a paediatric first aid certificate.
3. For settings that provide care to children who have reached puberty childcarers should have an adult first aid certificate.
4. The certificate should be appropriate to the nature of the childcare being provided. (For example, particular types of activities may need specific additional first aid training.)
5. Training should be designed for workers caring for children in the absence of their parents.
6. The certificate must be renewed every three years after the date the training was completed.
7. All training should be either approved by a local authority, the HSE or QCA, or provided by a reputable body, such as the Red Cross, St John Ambulance or St Andrew Ambulance.
8. The training must include sufficient practical training.
9. Resuscitation and other equipment should include baby, and junior models as appropriate.
10. Training should cover appropriate contents of first aid kit.
11. Training should include recording accidents and incidents.

12. The course should include learning outcomes covering the following areas:

- planning for first aid emergencies
- dealing with emergencies
- resuscitating
- recognising and dealing with shock
- recognising and responding appropriately to anaphylactic shock
- recognising and responding appropriately to electric shock
- recognising and responding appropriately to bleeding
- responding appropriately to burns and scalds
- responding appropriately to choking
- responding appropriately to suspected fractures
- responding appropriately to head, neck and back injuries
- recognising and responding appropriately to cases of poisoning
- responding appropriately to foreign bodies in eyes, ears and noses
- responding appropriately to eye injuries
- responding appropriately to bites and stings
- responding appropriately to effects of extreme heat and cold
- responding appropriately to febrile convulsions
- recognising and responding appropriately to the emergency needs of chronic medical conditions including: epilepsy, asthma, sickle cell, diabetes
- recognising and responding appropriately to meningitis and other serious sudden illness.

Annex D: assessing the suitability of staff on non-domestic premises

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

Childcare on domestic premises

If you are applying to provide childcare on domestic premises, we must also carry out checks on individuals who make up the registered person, individuals living or working on domestic premises where the childcare is provided who are aged 16 and over, and also on childcare assistants. After registration we will carry out suitability checks if there is a change to the registered person, for example if a new committee member joins the organisation; if there is a change of manager; if there is a change of assistants on domestic premises; or if there is a change to people living or working on the domestic premises where childcare is provided, for example if someone living in the household turns 16.

Childcare provision on non-domestic premises

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

What this means for you

The applicant/registered provider on non-domestic premises is responsible for having suitable vetting processes in place to safeguard children. You must have in place rigorous vetting and recruitment procedures. These procedures must ensure that those who work for you, or who work or live on the premises where you provide childcare, are suitable for both employment and to work or be in regular contact with young children. You need to undertake any necessary checks that provide you with sufficient information on which to base your employment decision. One of those checks must be a check against police records and the relevant lists held by the DCSF through the CRB.

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

- what information the individual disclosed
- the circumstances surrounding the event
- the person's level of involvement in the event

- the age of the person at the time of the event
- previous and subsequent good character
- any other mitigating circumstances.

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

Applying for CRB disclosures

All people who work directly with children must have an enhanced CRB disclosure certificate. To obtain this, you will need to do one of the following:

- use an organisation contracted by the DCSF to process subsidised checks on your behalf
- use another organisation, registered by the CRB, which will process a check with the CRB on your behalf – such organisations may charge a fee for this service
- register with the CRB as a body authorised to carry out checks; this option is normally only available to large organisations which carry out a large number of checks.

We will send details of how to obtain CRB checks for childcare staff from an organisation contracted by the DCSF when acknowledging receipt of an application to provide childcare.

Persons who are disqualified

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

Some of the things that disqualify people from working with children are:

- convictions or charges of an offence against a child
- convictions or charges of certain offences against an adult (for example murder, kidnapping, rape, indecent assault, assault causing actual bodily harm)
- being on the PoCA List of persons considered unsuitable to work with children
- being on the DCSF List 99 of people who are not considered to be fit and proper persons to work with children
- being made the subject of a disqualifying order²³

²³Criminal Justice and Court Services Act 2000, section 33 empowers a senior court (Crown court and above) to make an individual the subject of a disqualification order if, in its opinion, the convicted individual will continue to be a risk to children.

- being made the subject of an order where a child has been removed from his/her care or been prevented from living with him/her
- living on the same premises as another individual who is disqualified for one of the above reasons.

If you think that someone you are considering employing has a conviction that may disqualify them from working with children, you can talk confidentially to us by calling our helpline on **08456 404040**. You can find out more about the details of what disqualifies people from working with children in the regulations relating to disqualification. A full list of all the circumstances that disqualify people from working with children is available in regulations.²⁴

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

We cannot waive a disqualification for people who are included on the PoCA list and those who are subject to a direction made under section 142 of the Education Act 2002, known as List 99.

What we look for

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

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

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

²⁴ The Childcare (Disqualification) Regulations 2007 and The Childcare (Disqualification) (Amendment) Regulations 2008 can be found at www.opsi.gov.uk/si/si2007/uksi_20070723_en_1 and www.opsi.gov.uk/si/si2008/uksi_20081740_en_1.

- an enhanced CRB disclosure, including the number and date of issue following the CRB code of practice on handling disclosures
- references
- full employment history
- qualifications
- interviews
- medical suitability
- any other checks you have undertaken.

The inspector may also ask individual members of staff to show their enhanced disclosure.

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

Annex E: Registration not required

The Childcare Act 2006 defines childcare as any form of care for a child including education or any other supervised activity.

Most childcare providers caring for children aged under eight must register with Ofsted unless the law says that they are not required to do so.

We register childcare providers on two registers:

- the Early Years Register
- the Childcare Register.

If you are not required to register with us then in some circumstances you may choose to do so by joining the voluntary part of the Childcare Register.

For more information on registration visit our website www.ofsted.gov.uk or call us on 08456 404040; please call if you are not sure if you are required to register.

The next section lists exemptions to registration. When you contact us, you can use an exemption's number to tell us which one you think applies to you.

You do not have to register with us if you:

1.	care for children who are aged eight years and over.
2.	provide care where any individual child does not stay with you for more than two hours each day even if your childcare service is open for longer than two hours.
3.	only care for a child or children aged under eight to whom you are related. A relative means a grandparent, aunt, uncle, brother or sister of a child, of full or half blood, or by marriage or civil partnership.
4.	care for children aged under eight on domestic premises as a childminder without receiving any payment or reward in kind for your services. Domestic premises can be your own home or someone else's home.
5.	are a foster carer for the children.
6.	provide care for children in their own home. This includes caring for children of up to two sets of parents wholly or mainly in one or both sets of parents' homes. However, you are required to register as a childminder if you look after the children of three sets of parents in any or all of the parents' homes.
7.	provide care only between 6pm and 2am on domestic premises (baby sitting arrangements). Domestic premises can be your own home or someone else's home.
8.	are providing a home education arrangement where a child of compulsory school age receives full-time education, other than at a school, and is partly or wholly educated by a person other than a parent of the child. Care provided to the child is incidental to the education offered.

<p>9.</p>	<p>provide no more than two types of activities from the following list:</p> <ul style="list-style-type: none"> ■ school study support or homework support ■ sport ■ performing arts ■ arts and crafts ■ religious, cultural or language study. <p>This exemption only applies if you care for children who are aged three and over; and children aged under five do not attend for more than four hours in any one day. Any care provided is incidental to the activity (it is not the main focus of the provision).</p>
<p>10.</p>	<p>provide care as part of your establishment's activities in:</p> <ul style="list-style-type: none"> ■ a children's home ■ a care home ■ a hospital in which a child is a patient ■ a residential family centre ■ a young offender institution or secure training centre.
<p>11.</p>	<p>are a school that provides education or care for children aged three and over, where at least one child using that part of the provision is a pupil of the school. Children who are three during the term they start at school (known as rising threes) may count as three for the purpose of deciding whether registration is required.</p>
<p>12.</p>	<p>care for children aged under eight for four hours or less each day, where the care is for the convenience of parents who intend to remain on the premises where the provision is or within its immediate locality. This type of provision has no long-term commitment to provide care for children: for example, a shoppers crèche, a crèche attached to a sports centre or adult learning centre, or an exhibition where children do not attend every day.</p>
<p>13.</p>	<p>are an open access scheme for children . An open access scheme allows children not in the early years age group to leave the provision unaccompanied. (The early years age group is from birth to 31 August following a child's fifth birthday). Childminders who care for children in the later years age group are not allowed to provide an open access provision.</p>
<p>14.</p>	<p>care for children aged under eight from particular premises for 14 days or less in any year and you notify us in writing at least 14 days before starting the provision.</p>
<p>15.</p>	<p>care for children only between 6pm and 2am in hotels, guest houses or similar establishments. The care is for children of no more than two different clients, staying at the establishment, at the same time (baby sitting arrangements).</p>

Other sources of information

Your local family information service (FIS) will give you information and advice about how to apply for registration on the Early Years and Childcare Registers. You can find contact details in your telephone directory or on the FIS website:

www.familyinformationservices.org.uk/contactcis/england/index.htm.

The law that sets out our duty is the Childcare Act 2006 and associated regulations. The definition of childcare is contained in section 18. The specific order setting out exemptions is *The Childcare (Exemptions from Registration) Order 2008 No. 979* (www.opsi.gov.uk/si/si2008/uksi_20080979_en_1). References to regulations and our policy on registration and inspection are included in the *Framework for the regulation of those on the Early Years and Childcare Registers*, which will be available on our website from 1 September 2008.

Annex F: Common Core skills/training

What is the Common Core?

1. The Common Core of Skills and Knowledge, generally referred to as the Common Core, reflects a set of common values for people who work with children and young people, that promote equality, respect diversity and challenge stereotypes, helping to improve the life chances of all children and young people and to provide more effective integrated services.
2. There are six areas that constitute the Common Core:
 - effective communication and engagement
 - child and young person development
 - safeguarding and promoting the welfare of the child
 - supporting transition
 - multi-agency working
 - sharing information.
3. The guidance *Common Core of skills and knowledge for the children's workforce* outlines the skills and knowledge in greater detail. This can be found on the following link: www.everychildmatters.gov.uk/deliveringservices/commoncore. All people working with children should have these skills and knowledge.

What are the Common Core requirements for the voluntary part of the Childcare Register?

4. The regulations for the Childcare Register²⁵ state that, as part of the ongoing requirements of registration, providers on the voluntary part of the Childcare Register must ensure that:

'At least one person who is caring for children on the relevant premises has either

 - a qualification at a minimum of level 2²⁶ in an area of work relevant to the childcare, or
 - successfully completed training in the core skills as set out in the document *Common Core of skills and knowledge for the children's workforce*.'

²⁵ The Childcare (General Childcare Register) Regulations 2008, Schedule 6, (12); www.opsi.gov.uk/si/si2008/uksi_20080975_en_6#sch6.

²⁶ Level 2 as set out in the National Qualifications Framework and determined by the Qualifications and Curriculum Authority.

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

Why is there a requirement to have training in the Common Core?

6. The Common Core reflects the basic set of skills and knowledge that all people working with children should be aware of. All childcare providers should be familiar with these skills and knowledge to ensure that they provide effective care to the children for whom they are responsible.

What training and qualifications will be accepted for registration?

7. We will currently accept all qualifications on the Early Years and Playwork Qualifications Database as meeting this requirement. Applicants can check if any qualification they hold is on the database by checking online at <http://eypquals.cwdcouncil.org.uk/public/> or by ringing the Children's Workforce Development Council (CWDC) helpline on 0113 390 7743.
8. Training based on the *Championing Children resource book*; the CWDC Induction Standards and the following CWDC endorsed programmes all meet the requirements of the Common Core:
 - Revised Learning Mentor initial training programme
 - Early Years Professional Status
 - Early Years Sector Endorsed Foundation Degree
 - Foundation Degree in Working with Young People and Young People services.
9. Any other training or qualification will be accepted providing the childcare provider can demonstrate that it is Common Core compliant.

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

10. You should refer to the guidance *Common Core of skills and knowledge for the children's workforce* to check whether the training you have undertaken, or someone working for you has undertaken, covers the skills and knowledge specified in the document.
11. The organisation that delivered the training or the awarding body that accredited the qualification may also be able to confirm whether or not their training or qualifications reflected the Common Core. Course material or learning portfolios may also help individuals to assess whether or not their training covered the six Common Core elements.

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

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

Will I need to undertake further training?

13. It is good practice for childcare providers to take part in continuous training and development to ensure that they are up to date with the latest thinking and techniques and any new areas that have developed. If your training has not reflected the Common Core, you will need to undertake further training before applying to join the register.
14. If your training or qualification was last undertaken several years ago, there may be parts of the Common Core it did not cover, in which case additional training may be required.

How can I obtain training in the Common Core?

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

Where can I get further information about availability of training?

16. There are a number of ways you can find out about relevant training in your area.
17. You can contact your local authority children's services department in the first instance for advice on local arrangements and training that may be available to help you meet the registration requirements. Local authorities have a duty to provide information, advice and training to childcare providers. Training providers, such as colleges of further education and work based learning providers, may also be able to advise on what provision is available locally.

18. You can obtain general information and advice about childcare training through the local nextstep careers advice and information service. Details of local nextstep services are at <http://nextstep.direct.gov.uk/>. The learndirect advice line on 0800 100 900 and at www.learndirect-advice.co.uk/ can also provide information about training provision available locally and nationally.