

# Guide to registration on the Early Years Register: childminder

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## What do we mean by...?

### 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.

### 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.

### 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](http://www.ofsted.gov.uk)) or by contacting your local family information service ([www.familyinformationservices.org.uk/contactcis/england/index.htm](http://www.familyinformationservices.org.uk/contactcis/england/index.htm)).

## **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](http://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.

## **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 three<sup>1</sup>
- 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](http://www.ofsted.gov.uk)) or contact your local family information service.

## **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.

## **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.

## **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](http://www.ofsted.gov.uk)).

## **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.

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<sup>1</sup> 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.

## Introduction

1. This guidance provides you with practical information about registration on the Early Years Register. However, it is not authoritative legal advice.
2. It will help you decide whether to apply. It explains what processes your application will go through before we can decide whether you are suitable to be registered as a childminder on the Early Years Register.
3. The registration process looks at your ability and suitability to deliver the EYFS. The EYFS is a comprehensive framework that sets the standards for learning, development and care of the early years age group: children from birth to the 31 August following a child's fifth birthday. Once you are registered, we will continue to assess your ability and suitability to provide childcare through regular inspections. These will take place at least once every three to four years.
4. The guidance has information on the Childcare Register to help you decide if you want to be placed on this register.

## Why are childminders registered on the Early Years Register?

We register early years childminders to:

- protect children
- ensure that they meet the requirements of the Early Years Register
- ensure that childminders provide good outcomes for children that keep children healthy and safe and ensure that they enjoy and achieve, make a positive contribution and develop skills for the future
- promote high quality in the provision of care and learning and development
- provide reassurance to parents.

## Who needs to register as a childminder on the Early Years Register?<sup>2</sup>

5. You must register on the Early Years Register if you provide care at any time, day or night, for the early years age group and you intend to look after at least one individual child for a period of more than two hours in any day on domestic premises for reward. 'Reward' can be money or payment by other means such as gifts or services or providing reciprocal care for another person. 'Domestic premises' means any premises that are wholly or mainly used as a private dwelling: someone lives there. This will commonly be your home, but can also be another person's home.

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<sup>2</sup> The Childcare Act 2006 contains the full legal definitions of who needs to register as a childcare provider: [www.opsi.gov.uk/acts/acts2006/ukpga\\_20060021\\_en\\_1](http://www.opsi.gov.uk/acts/acts2006/ukpga_20060021_en_1).

6. You do not need to register as a childminder if you:
- are the parent, grandparent or other close relative of the child you are looking after<sup>3</sup>
  - have parental responsibility for the child
  - are a local authority foster parent to the child
  - are a foster parent with whom the child has been placed by a voluntary organisation
  - foster the child privately
  - only look after the child between the hours of 6pm and 2am
  - look after the child wholly or mainly in the child's own home
  - look after children for two sets of parents wholly or mainly in the home of either or both sets of parents
  - care for an individual child for two hours or less per day
  - provide education under a home education arrangement for a child who is of compulsory school age and the care you give is incidental to the education you provide. A home education arrangement is where a child of compulsory school age does not receive full-time education in a school, and is partly or wholly educated by someone who is not the child's parent
  - provide no more than two types of activity from the following list:
    - school study support or homework support
    - sport
    - performing arts
    - arts and crafts
    - religious, cultural or language study.

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 your provision.

7. If you are not sure if you need to register, please contact us on 08456 404040.
8. Registered childminders cannot provide childcare with more than two other people at any time: this is because the law says that this form of childcare arrangement needs a different type of registration. If you intend to work with three or more other people at any time you must register as a childcare provider on domestic premises. This type of registration applies whether you want to work with other childminders or employ assistants. We have different guidance if you want to provide this type of care: *Guide to registration on the Early Years Register: childcare provider on domestic or non-domestic premises*. To apply as a childcare provider on non-domestic premises you should complete an EYO application form and send it to us.

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<sup>3</sup> 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.

## Childcare Register

9. As well as the Early Years Register we administer the Childcare Register, which has a compulsory and a voluntary part.
10. The application form for the Early Years Register includes a section where you can apply to register on the Childcare Register without completing a separate form or paying an additional fee. So it is a good idea to decide whether or not you need to join the Childcare Register before applying for registration on the Early Years Register. You must read Annex A to this guidance if you want to apply to join the Childcare Register as well as the Early Years Register.
11. You cannot care for children aged six and seven, and those five-year-olds who are not in the early years age group, without registration on the compulsory part of the Childcare Register.
12. You **must** register on the compulsory part of the Childcare Register if you want to provide care for children aged from the 1 September following their fifth birthday up to the age of eight, unless the care you intend to offer is exempt from registration. If the care you offer is exempt from registration you may, in some circumstances, choose to register on the voluntary part of the Childcare Register.
13. If you want to care for children aged eight and over, you may choose to register on the voluntary part of the Childcare Register.
14. You may also **choose** to be on the voluntary part of the Childcare Register if you wish to work as a home childcarer. Home childcarers look after children in their own home and are normally nannies.
15. You must not act as a childminder for children aged under eight without being registered. If you do, it may lead to prosecution.

## The requirements for registration on the Early Years Register

### What will we look at in deciding about registration?

16. Before you can be registered you must show us that:
  - you, and every other person looking after children on the premises, are suitable to care for children in the early years age group
  - every person living or working on the premises is suitable to be in regular contact with children in the early years age group
  - the premises are suitable for looking after children in the early years age group. Childminding can take place in many different types of homes including, for example, high-rise flats or mobile homes.
  - you meet or will meet all the welfare and learning and development requirements of the EYFS, regulations and any conditions of registration imposed by us.

### How do you decide if I am suitable?

17. We will carry out a number of checks on you and other people connected with your registration. These are explained later in this guidance. We also talk to you during the registration visit about any issues arising from the checks or your application form; and may interview separately anyone else who we check.

18. You must also hold a paediatric first aid certificate before we can register you. Your local authority can advise you about suitable courses. There is more information about help your local authority can provide later in this guidance.

### **How do you decide if my premises are suitable?**

19. We will visit your premises as part of the registration process. We may also seek advice from other agencies, such as fire authorities, and ask you to carry out any recommendations they make.

There is more information about your premises in paragraph 61.

### **Is there a charge for applying?**

20. There is a non-refundable fee to apply for registration and an annual fee is payable each year on the anniversary of your registration. The amount is set by the Government. The childminder application pack has a leaflet with information about the current fees. There is only one fee to pay if you apply to register on the Early Years Register and also want to be on the compulsory or voluntary part of the Childcare Register.

### **Is there anything that could prevent me from becoming a childminder?**

21. Certain circumstances disqualify you from registering as a childminder. You **may** be disqualified from registration if you, or a person who lives with you, have been:
- convicted or charged with an offence against a child
  - subject to any order or determination removing a child from your care or preventing a child from living with you
  - convicted or charged with certain offences against an adult; for example, murder, kidnapping, rape, indecent assault, or assault causing actual bodily harm
  - listed on the Protection of Children Act 1999 (PoCA) list of persons considered unsuitable to work with children<sup>4</sup>
  - listed on the Department for Children, Schools and Families (DCSF) List 99 of people who are not considered fit and proper persons to work with children
  - made the subject of a disqualifying order
  - refused registration as a childcarer previously or have had registration cancelled.
22. A full list of all the circumstances that disqualify people from working with children is available in the Childcare (Disqualification) Regulations 2007 and the Childcare (Disqualification) (Amendment) Regulations 2008.<sup>5</sup> If you think that you, or a person you are considering employing, may be disqualified, you can talk to us confidentially about your own circumstances by contacting us on 08456 404040.
23. If you live with someone who is disqualified then this means that you are also disqualified.
24. If you are disqualified from registration, you can ask us to consider waiving the disqualification so that you may still apply to be registered as a childminder. Please contact us if you wish to apply for a waiver.

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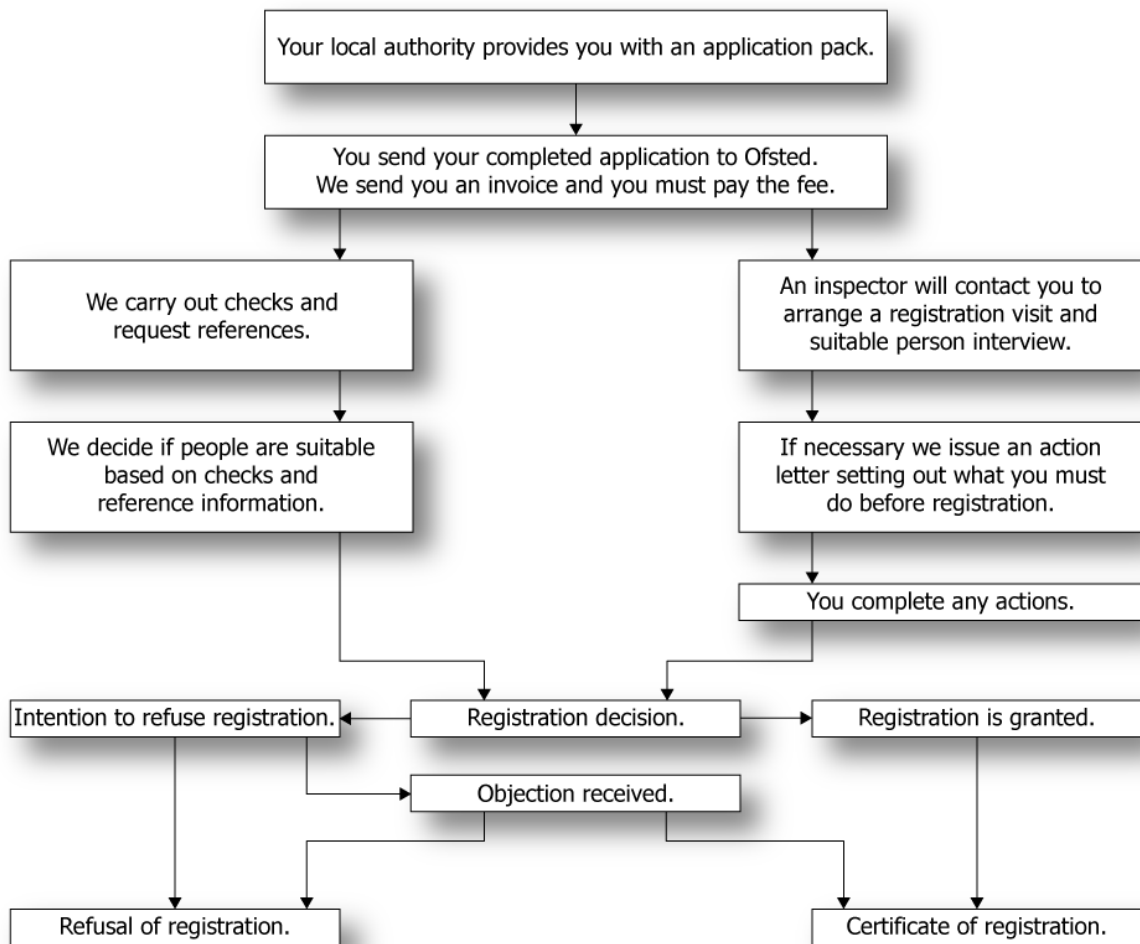
<sup>4</sup> The Protection of Children Act 1999 is available from: [www.dcsf.gov.uk/publications/pdf/childprotect.pdf](http://www.dcsf.gov.uk/publications/pdf/childprotect.pdf).

<sup>5</sup> The Childcare (Disqualification) Regulations 2007 are available from: [www.opsi.gov.uk/si/si2007/uksi\\_20070723\\_en\\_1](http://www.opsi.gov.uk/si/si2007/uksi_20070723_en_1); the Childcare (Disqualification) (Amendment) Regulations 2008 are available from [www.opsi.gov.uk/si/si2008/uksi\\_20081740\\_en\\_1](http://www.opsi.gov.uk/si/si2008/uksi_20081740_en_1).

- 25. It is an offence if you employ a person to look after children with you who you know is disqualified from working with children. If you wish to employ such a person to act as your assistant, they must first apply to us to waive disqualification. Only if we agree to do so can you employ them to work with you.
- 26. We cannot waive a disqualification for anyone, whether you or someone connected with your application for registration, who is included on the PoCA list or who is subject to a direction made under section 142 of the Education Act 2002, known as List 99.<sup>6</sup>

## How to apply

- 27. The flowchart shows the steps of the application process. We aim to complete the registration process within 12 weeks of receiving a complete application. An application is not complete until the fee is paid. A number of stages in the process depend on information from other agencies and action that you need to take: these may cause delays that are outside our control.



### Where can I get an application pack?

<sup>6</sup> Further information about List 99 is available from:  
[www.dcsf.gov.uk/publications/guidanceonthelaw/11\\_95/list99.htm](http://www.dcsf.gov.uk/publications/guidanceonthelaw/11_95/list99.htm).

28. You should contact your local authority to get an application pack and information about:
- pre-registration briefing sessions
  - registration courses and training
  - first aid training
  - advice and support that the local authority and its family information service (FIS) make available
  - obtaining a copy of the EYFS.<sup>7</sup>
29. Annex B explains how to contact your local authority.
30. You can obtain copies of the EYFS from your local authority. You should read the EYFS documents carefully before deciding whether or not to apply.

### The application pack

31. The application pack contains:
- application form (EYC)
  - declaration and consent forms (EY2)
  - *Health declaration booklet*
  - preparing for your registration visit booklet
  - checklist
  - leaflet on fees
  - this guidance
  - envelopes to return the forms.

### Completing the application pack

#### The applicant

32. The applicant has to complete:
- **EYC application form**

This asks for information about you, the premises on which you intend to childmind, other matters of suitability and your consent for us to carry out checks and use information from these checks to decide if you are suitable for registration as a childminder. We may carry out checks with:

    - directors of children's services (children's service records, child protection register)
    - a general practitioner or other medical professional, including a second medical opinion by a medical practitioner appointed on behalf of Ofsted, if necessary
    - the Criminal Records Bureau (CRB), including details of spent convictions normally exempt from disclosure under the Rehabilitation of Offenders Act 1974
    - authorities that hold the PoCA list and List 99

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<sup>7</sup> The EYFS and its guidance can also be downloaded from:  
[www.standards.dcsf.gov.uk/eyfs/site/resource/pdfs.htm](http://www.standards.dcsf.gov.uk/eyfs/site/resource/pdfs.htm).

- the Soldiers, Sailors, Airmen and Families Association (SSAFA) Forces Help
- referees
- previous employers.

We may also carry out any further checks that we think are necessary to establish your suitability; for example, with your health visitor or the school where your children are pupils.

■ **Health declaration booklet**

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

**Other people looking after children (childminder assistants)**

33. You have to demonstrate that everyone who looks after children with you is suitable to do so. You should arrange for everyone looking after children with you to complete a declaration and consent form (EY2). The form asks for their consent to carry out a series of checks and for us to use the information from those checks to decide their suitability. We carry out checks with:

- directors of children's services (children's service records, child protection register)
- the CRB, including details of spent convictions exempt from the Rehabilitation of Offenders Act 1974
- authorities that hold the PoCA list and List 99.

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

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

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

- directors of children's services (children's services records, child protection register)
- the CRB, including details of spent convictions exempt from the Rehabilitation of Offenders Act 1974
- authorities that hold the PoCA list and List 99.

36. We may also carry out any other checks that we think are necessary, for example with the probation service. We will take the results into account when assessing the suitability of the people to have regular contact with children. We may ask them to attend an interview following these checks to assess their suitability. We will take into account the suitability of the people who live with you, or work on the premises where you intend to provide childcare, when deciding whether to grant your registration.

### Completing the application

37. Make sure that you and others associated with your registration complete all forms as fully as possible. You can contact us for advice on completing the forms on **08456 404040**. You may obtain extra copies of the forms from your local authority or our website: details are in Annex B.
38. If the forms are not completed fully it could lead to your application being delayed or, in extreme cases, to registration being refused. We may return your application if it has not been completed satisfactorily.
39. **Please note that you are guilty of an offence and liable to a fine if you knowingly make a statement that is false or misleading in an application.**
40. Your application is not complete until you pay the application fee.

### Sharing your information

41. 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.
42. Ofsted uses the information from checks and any interviews to make a decision about your suitability to work with or be in regular contact with children. It may be necessary to repeat these checks from time to time in order to assess your ongoing suitability.
43. We 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. We may also supply information about childcare providers to other government and local authority departments, for example, environmental health.
44. We may give information to parents who have or have had a child looked after by a childminder. 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.<sup>8</sup>
45. We will continue to provide regular updates about our early years work. We have a free online newsletter, *Ofsted News*, for anyone interested in childcare and education:
  - to subscribe, visit <http://live.ofsted.gov.uk/newsletter/>
  - to read the latest issue visit <http://ofstednews.ofsted.gov.uk/>.

### What happens next?

46. We will:
  - acknowledge your application
  - return it to you or telephone you for more information if you have not provided enough details
  - send you a request to pay the non-refundable application fee

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<sup>8</sup> The Childcare Act 2006 regulations require Ofsted to disclose certain information in particular circumstances to parents, childcare organisations, other government departments, local authorities and the police.

- send you details of how to obtain criminal records disclosures from the CRB for:
    - yourself
    - anyone looking after children with you
    - other people aged 16 or over living or working on the premises where you intend to childmind
  - begin to carry out checks
  - arrange for an inspector to visit you.
47. Before the visit the inspector will telephone you to confirm the date of the visit and make sure you have all necessary documents to hand.
48. Please note that whenever an Ofsted inspector visits you, you should always ask to see their proof of identity. All our inspectors carry identification and authorisation documents that include the inspector's photograph and details of rights of entry.

## How can I prepare for the inspector's visit?

49. The inspector's role during the visit is to:
- check your identity by looking at personal documents
  - sign your CRB form and those for other people living or working with you
  - check your premises and equipment and interview you to assess your suitability to be a childminder and your ability to deliver the EYFS
  - assess how you intend to help children learn and develop
  - assess how you will meet the welfare requirements set out in the EYFS statutory framework
  - assess how many children you may be registered to care for.
50. It may be necessary to make more than one visit during the registration process.
51. The EYFS pack includes its statutory framework and practice guidance. The documents will help you to prepare for these visits and identify anything you need to show the inspector. They can also be used to prepare the childminding service you wish to provide.

### Preparing for your registration visit booklet

52. To help you prepare for your registration visit we have developed a guidance booklet. The information in this booklet will give you the opportunity to think about how you intend to deliver your childcare service and how you will demonstrate this to the inspector when they visit.
53. This booklet is for you to use if you wish to, it is not to give to the inspector when they visit. The inspector will ask if you have completed it, so during the visit feel confident to refer to your notes in the booklet to answer the questions and explain how you intend to deliver your service.

## What documents do I need to show the inspector?

### Identity documents

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

### Additional documentation

57. If you have any childcare qualifications, or have attended childminder training, the inspector will ask to see any certificates that you have.
58. You must show the inspector a current, valid first aid certificate including infants and young children; or show the inspector the confirmed date of any training. We cannot register you unless you hold a valid first aid certificate.
59. If you intend to use a car for transporting the children you care for, you will need to show the inspector your driving licence, valid insurance documents and an MOT certificate, where applicable, for each vehicle.
60. The EYFS gives information about the written records you will need to keep as a childminder. If you have prepared any in advance, or have written any information for prospective parents, you should show these to the inspector.

## What about my premises?

61. The inspector will ask to see all the rooms that you intend to use for childminding. You should prepare for this by thinking about possible risks to children and how you will deal with these. The inspector will check to see if you have minimised risks for children by making sure that:
  - children cannot leave the premises
  - you take appropriate safety measures according to the age of children you care for, such as using safety gates or childproof locks.

## What equipment will the inspector want to see?

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

63. You do not have to have a full range of equipment at the time of the visit, but you must be able to demonstrate how you will obtain sufficient equipment to meet the needs of the children you care for. You will need to explain to the inspector how you will organise your premises and equipment to help you deliver the EYFS and how you will provide opportunities for daily outdoor play.

### **Suitable person interview**

64. The inspector will discuss **all** aspects of the EYFS with you. You will have to explain how you will deliver the EYFS, including its welfare and learning and development requirements. Working through the questions in the preparing for your registration visit booklet included in your application pack will help you think about how you will meet these.
65. The inspector will ask how you will provide good outcomes for children: to help children be healthy; stay safe; enjoy and achieve; make a positive contribution; and achieve economic well-being. You will need to show how you have identified any possible risks to health and safety, and what you have done to minimise those risks, and your processes for vetting any staff or other people who have regular contact with children.
66. You will need to show how the educational programmes you intend to have in place will help children make progress towards the early learning goals set out in the EYFS statutory framework. You may want to think about how you will plan activities and play opportunities to meet children's individual needs and assess their progress.
67. The inspector will ask you how you will meet the needs of a range of children, including any with learning difficulties and disabilities and any that might have English as an additional language, and how you will help all children to feel valued and make a positive contribution.

### **Outcome of the visit**

68. During the visit the inspector will tell you about anything that needs to be done before we can grant your registration. If necessary, the inspector will set actions for you to complete within a set timescale. The inspector will also tell you about any conditions that we will put on your registration including the number of children you may care for. If all other checks are complete, the inspector may also be able to tell you the registration decision. The decisions we can make are to:
- register you as a childminder
  - register you as a childminder only when you have completed any actions that are to be made
  - refuse registration.

### **What are the conditions of registration?**

69. We may grant your registration subject to certain conditions. These are restrictions to your registration such as the maximum number and ages of children that you may care for and whether you can care for children overnight. We discuss any conditions with you during the registration visit. If registration is granted, conditions are set out on your certificate of registration. You must comply with the conditions at all times. It is an offence not to do so.

## What happens after the registration visit?

### Action letter

70. You may get an action letter that details the work that you must do to meet the EYFS requirements and a date for completing these actions. We normally expect you to complete these within two weeks of the date of the visit. You must complete the actions before you can be registered. An inspector may visit again to check the actions you have taken.

### Checks

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

### Registration

72. When an inspector has completed the registration visit and all the checks are complete, we will decide whether registration should be granted or refused. If registration is granted, we will send you a registration certificate. We will also send you *Are you ready for your inspection?*, which has information about the inspection process.<sup>9</sup> This explains how you can evaluate your childminding service and will help you understand how future inspections will be carried out.

### Refusing registration

73. If we decide that you are not suitable for registration, we will tell you that we intend to refuse registration in a letter called a notice of intention. This is a legal document that explains the reasons for our refusal.

### Objection and appeal

74. You have the opportunity to object if we refuse your application for registration. You must tell us you intend to do this within 14 days of the date on the notice of intention: otherwise we will confirm in writing our refusal decision. This is another legal letter called a notice of decision. If you still do not agree you have the right to appeal to the Care Standards Tribunal, an independent body, within three months of the date that you receive the notice of decision. We will send you information about how to object and appeal if we intend to refuse registration.

### The certificate of registration

75. The certificate of registration is your proof of registration. Once you have received your certificate you can begin working as a childminder.
76. This certificate states your registration number and the register or registers on which you are registered. It also includes your name as the registered individual, the address(es) where you may provide childminding and any conditions that apply to your registration.
77. Your certificate is a legal document and will remain valid until:
- we change, add or remove any of the conditions of registration either as a result of a request by you or because we decide to make changes
  - we cancel your registration
  - you resign your registration.

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<sup>9</sup> It is also available from our website: [www.ofsted.gov.uk/publications/080023](http://www.ofsted.gov.uk/publications/080023).

78. The EYFS statutory framework requires you to display the certificate during the hours that you provide childminding. If you lose, damage or destroy your certificate you will need to get a replacement. There is a fee for this service. For the current amount, please see your application pack or visit our website.

## Withdrawing your application

79. During the registration process you may change your mind about continuing your application to register as a childminder. You must tell us if this is what you decide in order to stop the registration process. If you do not tell us that you wish to withdraw your application, we will continue the process and may have to refuse your registration if you have not met all the necessary requirements. Refusing registration is a serious step as it disqualifies you from providing childcare in the future.
80. Please note the application fee is non-refundable.
81. You cannot withdraw an application if we have already served you with a notice of intention to refuse your registration. This does not affect your right to make an objection or to appeal against our decision.

## What do I need to tell you about once I am registered?

82. There are certain things that you must tell us about once you are registered. These are set out in the EYFS statutory framework.

### Changes

83. You should inform us at the earliest opportunity of any changes or proposed changes. Where it is not possible to notify us in advance, you must let us know of the change as soon as you can and no later than 14 days after the event occurs. This includes any change to the below.

#### ■ Premises, facilities and provision:

- address of the premises
- facilities to be used for childcare on the premises that may affect the space available to children and the level of care available to them
- hours during which childcare is provided which mean that you wish to provide overnight care
- type of childcare category applicable to the provision; for example, if you are registered on the compulsory and/or voluntary part of the Childcare Register as well as the Early Years Register and decide you no longer want to care for older children.

#### ■ People and their suitability:

- your name or address
- the persons aged 16 years or older living or working on the childminding premises; a person is not considered to be working on the premises if none of their work is done in the part of the premises in which children are cared for, or if they do not work on the premises at times when children are there. You must tell us of any new person's date of birth, full name, any former names or aliases used by them and their full address. You must also tell us of any change to the name or home address of any of the people mentioned above.

## Significant events and incidents

84. You must tell us if any of the following occur:

- any food poisoning affecting two or more children looked after on the premises
- any serious accident or injury to, or serious illness of, or the death of, any child while in your care and the action taken as a result
- any allegations of serious harm against, or abuse of, a child by any person looking after children on the premises – whether that allegation relates to harm or abuse committed on the premises or elsewhere – or any person living, working or employed on the premises, or any other abuse which is alleged to have taken place on the premises, and of the action taken in respect of these allegations
- any other significant event which is likely to affect your suitability to look after children or any person caring for the children on the premises.

You must inform Ofsted of these situations as soon as is reasonably practicable, but at the latest within 14 days of the allegations being made.

## What records must I keep on the premises where I will care for children?

85. You must keep records of:

- the full 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 every parent and carer who is known to the childminder
- which of these parents or carers the child normally lives with
- emergency contact details of parents and carers
- name, home address and telephone number of anyone else who will regularly have unsupervised contact with children attending the early years provision
- a daily record of the names of the children looked after on the premises and their hours of attendance
- written parental permission to seek emergency medical advice or treatment for their child
- a record of accidents and first aid treatment, and you must inform parents of any accidents or injuries sustained by the child while in your care and of any first aid treatment that was given
- a record of any medicine administered to any child on the premises, together with a record of a parent's consent
- a record of all complaints for a period of at least three years
- a record of the risk assessment clearly stating when it was carried out, by whom, date of review and any action taken following a review or incident.

86. The EYFS statutory framework sets out the records, policies and procedures that you are required to keep.

## Corporal punishment

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

## Paying the annual fee

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

## Continuing registration

89. You must continue to demonstrate your suitability to be a childminder throughout the time that you remain registered. We monitor this through:
- regular inspections
  - other visits, for example to follow up any concerns we receive about the service you provide
  - repeating or carrying out additional checks where we receive information that brings your suitability into question or information about other people connected with your registration as set out in paragraphs 32–36.
  - your completed self-evaluation form (SEF).
90. We expect you to reflect on your practice and consider how you might improve on what you do. Once you are registered, we make available a SEF to help you do this. You should complete this online if possible. You will be given more information about this with your certificate of registration.

## Inspection

91. After your registration we will inspect you within a short time: normally within seven months of registration providing that you are looking after children. This is so we can assess the quality of care and learning you give to children. The inspector will read your completed SEF before the inspection and discuss it with you.
92. Following this inspection we will inspect you at least once every three to four years.<sup>10</sup> The inspector will judge the quality of the childcare you provide and write a report. We will send you the report and publish a copy on our website.
93. There is more information about inspection in the booklet *Are you ready for your inspection?* We will send you a copy of this booklet with your registration certificate. It is also available on our website: [www.ofsted.gov.uk/publications/080023](http://www.ofsted.gov.uk/publications/080023).

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<sup>10</sup>The law defines this period as, by the end of the year in which it is three years since the last inspection, with the year ending at 31 August.

## What other visits might be made?

94. We may visit at other times, for example:
- to check on actions given at an inspection
  - to consider a request to vary the conditions of your registration
  - because something about your registration has changed, for example you have moved house
  - because we have received a complaint from a parent or other person that brings into question your suitability to provide childcare.
95. You do not receive a report from these visits. You will receive a letter that sets out the outcome of the visit. This may include actions and/or recommendations. Following a visit arising from concerns, we will tell you about any enforcement action we intend to take. In extreme cases this may include prosecution and/or cancellation of your registration.
96. Where necessary, we may issue a notice of intention to vary, add or remove the conditions applying to your registration or to cancel registration. You have the right to object or appeal against any notice we issue.
97. Inspectors can:
- enter your childminding premises at all reasonable times
  - inspect and take copies of any records kept by a childminder
  - seize and remove any document or other material that may be used as evidence of failure to comply with the law or the requirements for registration
  - take measurements and photographs and make recordings
  - interview you in private
  - interview another adult in private if they consent.
98. If you prevent an inspector carrying out any of the above you are committing an offence.

## What should I do if I no longer wish to be registered as a childminder?

99. If you no longer wish to be a childminder, you will need to let us know that you wish to resign your registration. We will confirm receipt of your resignation.
100. **You may not resign if you have been served with a notice of intention or a notice of decision to cancel your registration or if you are waiting for the outcome of an appeal to the Care Standards Tribunal.**
101. Resigning as a childminder does not affect any future application you wish to make to provide childcare.

## Annex A: Registration on the Childcare Register

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

Any applicant who **only** wants to apply for the Childcare Register should read the *Guide to registration on the Childcare Register*, which is available on our website: [www.ofsted.gov.uk/publications/080032](http://www.ofsted.gov.uk/publications/080032).

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

The Childcare Register is not linked to the delivery of the EYFS. It has two parts:

- **the compulsory part**

For applicants who wish to care for children older than the early years age group but under eight: that is children aged from the 1 September following the child's fifth birthday to age seven. All those applying for the Early Years Register who also want to care for children of this age must apply to join this part.

- **the voluntary part**

For applicants where the service they provide does not require compulsory registration, for example nannies who look after a child in the child's own home, those who care for children aged over eight or those who provide activities such as music tuition.

If you wish to register on the Childcare Register you must also meet a set of requirements relating to the Childcare Register, in addition to meeting the requirements of the EYFS. The Childcare Register requirements are listed below. If you are applying for the Childcare Register at the same time as the Early Years Register we will ask you to sign a declaration that you meet these requirements.

### Childcare Register requirements

#### Welfare of the children being cared for

Childminders and home childcarers must ensure that:

- children receiving childcare are kept safe from harm
- at least one person who is caring for children has an appropriate first aid qualification
- they do not use corporal punishment.

Childminders must ensure that:

- no person caring for children, or living or working on the premises where the childcare is provided, uses corporal punishment.

Home childcarers must:

- be present at all times on the premises while care is being provided.

Childminders must:

- be present on the premises at all times when childcare is being provided, unless they have prior written approval from Ofsted to be absent for short periods of time while another suitable person cares for the children.

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 on the premises at any time while childcare is provided, or in the presence of a child receiving childcare.

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.

#### Arrangements for safeguarding children

Childminders must:

- keep and implement a written statement of procedures to be followed for the protection of children that is intended to safeguard the children being cared for from abuse or neglect
- ensure that no individual who is unsuitable to work with children has unsupervised access to a child receiving childcare.

Home childcarers must:

- ensure that they are familiar with issues of child protection and procedures to safeguard children from abuse or neglect.

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

Childminders and home childcarers must have effective systems to ensure that the registered person and any person caring for or in regular contact with children:

- 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.

#### Qualifications and training

Childminders and home childcarers registered on the voluntary part of the Childcare Register must have:

- a relevant level 2 childcare qualification as a minimum, or
- successfully completed training in the core skills as set out in *Common core of skills and knowledge for the children's workforce*. You can find more information about the core skills at [www.everychildmatters.gov.uk/deliveringservices/commoncore/](http://www.everychildmatters.gov.uk/deliveringservices/commoncore/).

Childminders registered on the compulsory part of the Childcare Register must have successfully completed a childminder training course within six months of registration.

#### Suitability and safety of premises and equipment

Childminders and home childcarers must ensure that:

- the premises and equipment used for the purposes of the childcare are safe and suitable for that childcare
- a child is unable to leave the premises unsupervised except when the registered person has agreed with the parent of an older child that they may leave the provision unaccompanied
- no one can enter the premises without the knowledge of a person who is caring for children on the premises.

Childminders must:

- ensure that the premises are safe for the provision of childcare
- undertake a risk assessment of the premises and equipment at least once in each calendar year and immediately when the need for an assessment arises
- ensure that all necessary measures are taken to minimise any identified risks.

Home childcarers must:

- advise parents/guardians/carers of any health and safety risks.

#### How the childcare provision is organised

Childminders must:

- make arrangements with other childcare providers or with parents for occasions on which the registered person is not able to provide childcare.

Childminders and home childcarers must ensure that:

- children's behaviour is managed in a suitable manner
- 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.

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
- not refusing to provide childcare or treat any child less favourably than another child by reason of the child's:
  - race
  - religion or belief
  - home language
  - family background
  - gender, or
  - disability or learning difficulty<sup>11</sup>
- taking all reasonable steps to enable children with disabilities to have access to the premises.<sup>12</sup>

#### Procedures for dealing with complaints

Childminders must:

- have a written statement of procedures to be followed in relation to complaints that relate to the requirements of the Childcare Register and that a parent makes in writing or by email
- ensure that each complaint is fully investigated
- 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
- 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

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<sup>11</sup>Within the meaning of section 312(2) of the Education Act 1996; [www.opsi.gov.uk/acts/acts1996/1996056.htm](http://www.opsi.gov.uk/acts/acts1996/1996056.htm).

<sup>12</sup>In compliance with the duty in section 21 of the Disability Discrimination Act 1995; [www.opsi.gov.uk/acts/acts1995/1995050.htm](http://www.opsi.gov.uk/acts/acts1995/1995050.htm).

- 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
- produce for Ofsted, on request, a list of such complaints made during the previous two years.

#### Records to be kept

Childminders must keep records of the following and retain them for a period of two years:

- 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.

Childminders must keep records of the following and retain them for a period of two years:

- accidents that involve the children being cared for occurring on the premises where childcare is provided
- any medicine, including medicine that the child is permitted to self-administer, administered to any child who is cared for on the premises, including the date and circumstances and who administered it, 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 and leisure centres, where only parts of the premises are used for childcare.

#### Providing information to parents

Childminders except home childcarers must make the following information available to parents:

- information about the activities the children will undertake
- copies of the written statements of safeguarding procedures and complaints procedures.

Childminders including home childcarers must make the following information available to parents:

- information about the registration system for the voluntary part of the Childcare Register
- Ofsted's address.

#### Providing information to Ofsted

Childminders including home childcarers must inform Ofsted of changes of circumstance as soon as they can and no later than 14 days after the change occurs.

Home childcarers who cannot provide details of the address where they will be providing childcare on their application form should advise Ofsted of the address before caring for children.

#### Changes to premises and provision

Childminders including home childcarers must inform Ofsted of the following:

- 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.

### Changes to people

Childminders including home childcarers must inform Ofsted of the following:

- any change to their name, address or telephone number
- any significant event that 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.

### Matters affecting the welfare of children

Childminders including home childcarers must inform Ofsted of the following:

- 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.

Please note: home childcarers are only required to report the above events if they occur while they are providing childcare.

### Public liability insurance

Childminders and home childcarers must have a valid public liability insurance policy in their own name.

### The certificate of registration

Childminders must:

- display the certificate on the premises on which childcare is provided
- display any notice of suspension of registration.

Home childcarers must:

- show the certificate to a parent on request.

### What about inspections?

We will check that you meet the requirements of the Childcare Register when we carry out your inspection under the EYFS. We 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.

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.

### Complying with the requirements of the Childcare 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. This may mean that we send you a notice setting out what you need to do to comply with the requirements.

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 us 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.

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 will you know I meet these requirements?](#)

We will ask you to sign a declaration on your application form that you will meet them at all times when providing childcare relating to the Childcare Register.

We will check your understanding at the registration visit for the Early Years Register.

We will check that you meet these requirements when we carry out inspections of the EYFS.

## **Annex B: Where can I get further information?**

### **Ofsted**

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

Ofsted's helpline is **08456 404040**.

### **Your local authority**

Your local authority can provide you with details, support and advice about any training that they offer and any information that they provide. You can obtain details of your local authority contact from the telephone directory or from us on the above number. The DCSF lists local authority websites: [www.dcsf.gov.uk/localauthorities/index.cfm?action=authority](http://www.dcsf.gov.uk/localauthorities/index.cfm?action=authority).

### **Family information service (FIS)**

Your local FIS can provide you with information about existing childcare services in your local area: [www.familyinformationservices.org.uk/contactcis/england/index.htm](http://www.familyinformationservices.org.uk/contactcis/england/index.htm) or look in your telephone directory.

### **You should read a copy of the EYFS before making an application.**

You will have to demonstrate that you meet its requirements before we can register you. The EYFS may be obtained from your local authority or visit its website: [www.standards.dfes.gov.uk/eyfs](http://www.standards.dfes.gov.uk/eyfs).