



Childcare Act 2006

2006 CHAPTER 21

PART 3

REGULATION OF PROVISION OF CHILDCARE IN ENGLAND

CHAPTER 2

REGULATION OF EARLY YEARS PROVISION

Requirements to be met by early years providers

43 Welfare requirements

- (1) The matters that may be dealt with by welfare regulations include—
 - (a) the welfare of the children concerned;
 - (b) the arrangements for safeguarding the children concerned;
 - (c) suitability of persons to care for, or be in regular contact with, the children concerned;
 - (d) qualifications and training;
 - (e) the suitability of premises and equipment;
 - (f) the manner in which the early years provision is organised;
 - (g) procedures for dealing with complaints;
 - (h) the keeping of records;
 - (i) the provision of information.
- (2) Before making welfare regulations, the Secretary of State must consult the Chief Inspector and any other persons he considers appropriate.
- (3) Welfare regulations may provide—
 - (a) that a person who without reasonable excuse fails to comply with any requirement of the regulations is guilty of an offence, and

Changes to legislation: Childcare Act 2006, Section 43 is up to date with all changes known to be in force on or before 15 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(b) that a person guilty of the offence is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(4) In this section “welfare regulations” means regulations under section 39(1)(b).

Commencement Information

II S. 43 in force at 20.12.2006 by [S.I. 2006/3360](#), [art. 2\(c\)](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 32(6) inserted by [2023 c. 55 Sch. 23 para. 2](#)
- s. 36(1)(a)(b) substituted for words by [2023 c. 55 Sch. 23 para. 6\(2\)](#)
- s. 36(5)(ac)(ad) inserted by [2023 c. 55 Sch. 23 para. 6\(5\)](#)
- s. 37(2A) inserted by [2023 c. 55 Sch. 23 para. 7\(4\)](#)
- s. 37A(1A) inserted by [2023 c. 55 Sch. 23 para. 8\(3\)](#)
- s. 45A(4C) inserted by [2016 c. 5 s. 3\(2\)\(a\)](#)
- s. 47ZA(3)(a) substituted by [2016 c. 5 s. 3\(2\)\(b\)](#)
- s. 54(1)(a) words substituted by [2023 c. 55 Sch. 23 para. 11\(3\)\(a\)](#)
- s. 54(1)(b) words inserted by [2023 c. 55 Sch. 23 para. 11\(3\)\(b\)](#)
- s. 55(1)(a)(b) substituted for words by [2023 c. 55 Sch. 23 para. 12\(2\)](#)
- s. 55(5)(ac)(ad) inserted by [2023 c. 55 Sch. 23 para. 12\(5\)](#)
- s. 56(2A) inserted by [2023 c. 55 Sch. 23 para. 13\(4\)](#)
- s. 56A(1A) inserted by [2023 c. 55 Sch. 23 para. 14\(3\)](#)
- s. 57(1)(a)(i)(ii) substituted for words by [2023 c. 55 Sch. 23 para. 15\(b\)](#)
- s. 57A(2)(a)(i)(ii) substituted for words by [2023 c. 55 Sch. 23 para. 16\(3\)](#)
- s. 63(A1)(1) substituted for s. 63(1) by [2023 c. 55 Sch. 23 para. 18](#)
- s. 64(2A) inserted by [2023 c. 55 Sch. 23 para. 19\(4\)](#)
- s. 68(3)(a)(b) substituted for words by [2023 c. 55 Sch. 23 para. 22\(2\)](#)
- s. 68(4)(a)(b) substituted for words by [2023 c. 55 Sch. 23 para. 22\(3\)](#)
- s. 68(5)(a)(b) substituted for words by [2023 c. 55 Sch. 23 para. 22\(4\)](#)
- s. 98(1B) inserted by [2023 c. 55 Sch. 23 para. 24\(3\)](#)
- s. 113A(1) repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 113A(3) words repealed by [2012 c. 5 Sch. 14 Pt. 1](#)