

2007 No. 1063

CHILDREN AND YOUNG PERSONS, ENGLAND

**The Childcare (Provision of Information) (England) Regulations
2007**

<i>Made</i>	- - - -	<i>27th March 2007</i>
<i>Laid before Parliament</i>		<i>5th April 2007</i>
<i>Coming into force</i>	- -	<i>1st May 2007</i>

The Secretary of State for Education and Skills makes the following Regulations in exercise of the powers conferred by sections 12(2) and 104(2) of the Childcare Act 2006(a):

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Childcare (Provision of Information) (England) Regulations 2007 and come into force on 1st May 2007.

(2) In these Regulations—

“the Act” means the Childcare Act 2006;

“free nursery provision” means nursery education within the meaning of Part 5 of the School Standards and Framework Act 1998(b) which is provided free of charge by any person (other than the governing body of a maintained school) under arrangements pursuant to the duty imposed on a local education authority in England by section 118 of that Act(c) (duty of LEA to secure sufficient nursery education) made between the authority and that person in consideration of financial assistance provided by the authority under those arrangements;

“registered person” means a person registered under Chapter 4 (voluntary registration) of Part 3 of the Act;

“relevant premises” means, in relation to a registered person providing childcare, the premises on which the provision of childcare by that person takes place.

Prescribed information

2.—(1) Subject to paragraph (2), the information set out in the Schedule is prescribed for the purposes of section 12(2) of the Act.

(2) Information is not to be treated as prescribed information—

(a) where it includes information as to the identity of a parent or relative of any child to whom childcare is being or has been provided, including the address of any such person, (unless the parent or relative in question is the childcare provider) without the consent of the parent or relative identified;

(a) 2006 c. 21. See section 98(1) for the definitions of “prescribed” and “regulations”.

(b) 1998 c. 31.

(c) Section 118 is amended by paragraph 30 of Schedule 2 to the Childcare Act 2006.

- (b) to the extent that a registered person has notified the English local authority that he does not wish the information to form part of the service; or
- (c) where the English local authority are required under any enactment, by any rule of law or by the order of a court not to disclose the information.

27th March 2007

Beverley Hughes
Minister of State
Department for Education and Skills

SCHEDULE

Regulation 2(1)

Prescribed descriptions of information

1. The registered person's name.
2. The business name, if any, under which childcare is provided by the registered person.
3. The address of the relevant premises, except where the relevant premises are the home of any child to whom childcare is being provided.
4. Any telephone number, fax number or e-mail address of the registered person or the relevant premises.
5. The date of registration of the registered person.
6. The conditions, if any, attaching to the registered person's registration.
7. Whether the registered person is registered as—
 - (a) a childminder, or
 - (b) a provider of childcare other than childminding in respect of premises in England.
8. Where the registered person is registered as a childminder, whether the relevant premises are either (or a combination of)—
 - (a) the registered person's home,
 - (b) the child's home, or
 - (c) other domestic premises.
9. Whether the childcare provided by the registered person is free nursery provision.
10. Any information supplied by the registered person as to—
 - (a) the type of childcare offered;
 - (b) the cost of childcare;
 - (c) the time and duration of the provision of childcare;
 - (d) the number and ages of children to whom childcare is offered; and
 - (e) childcare offered which is suitable for disabled children.
11. Where the Chief Inspector is taking or has taken one of the steps mentioned in subparagraphs (b) to (e) of section 83(1) of the Act in respect of the registered person's registration, information as to which of the steps she is taking, namely—
 - (a) giving notice of her intention to cancel the registered person's registration;
 - (b) cancelling the registered person's registration;
 - (c) suspending the registered person's registration; or
 - (d) removing the registered person from the register at that person's request.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe, for the purposes of section 12 of the Childcare Act 2006, the information to be provided to parents and prospective parents by an English local authority in relation to the provision of childcare by persons registered under Chapter 4 (voluntary registration) of Part 3 of that Act in the authority's area. Section 12 is in force to the extent it requires an English local authority to establish and maintain a service providing information relating to the provision of childcare in the authority's area by persons registered under that Chapter.

Regulation 2(1), in conjunction with the Schedule, sets out the information which must be provided to parents or prospective parents in relation to the childcare in the area of an English local authority. The Schedule includes an obligation on English local authorities to provide information as to the childcare suitable for disabled children which is provided by a registered person.

Regulation 2(2) excludes from the information which must be provided to parents information as to the identity and address of any parents or relatives of a child unless consent has been given. That paragraph also allows a registered person to notify an English local authority that he does not wish information which would otherwise be provided about him to form part of the service maintained by the authority.

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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