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STATUTORY INSTRUMENTS

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**2014 No. 1920**

**The Childcare (Childminder Agencies) (Registration, Inspection and Supply and Disclosure of Information) Regulations 2014**

**PART 1**

**General**

**Citation and commencement**

1. These Regulations may be cited as the Childcare (Childminder Agencies) (Registration, Inspection and Supply and Disclosure of Information) Regulations 2014 and come into force on 1st September 2014.

**Interpretation**

2.—(1) In these Regulations—

“the Act” means the Childcare Act 2006;

“applicant” means a person who is seeking registration as an early years childminder agency under Chapter 2A or as a later years childminder agency under Chapter 3A of Part 3 of the Act;

“continuous professional development” means any training or other activity which is designed to enable a registered provider to meet such of the requirements specified under section 39 of the Act or imposed by regulations under section 59 of the Act as are applicable to that registered provider;

“enforcement action” means the serving of any notice on a registered provider and any suspension of a registered provider’s registration;

“enhanced criminal record certificate” means an enhanced criminal record certificate issued under section 113B of the Police Act 1997(1);

“nominated individual” has the meaning given in paragraph 1(2)(b)(i) of Schedule 1;

“parent”, in relation to a child, includes any person who has parental responsibility for the child or has care of the child;

“practice support” means any training, advice or assistance which supports a registered provider in the running of that provider’s childcare practice and may include training, advice or assistance provided by a childminder agency during a quality assurance visit;

“quality assurance visit” means any visit to a setting undertaken by a childminder agency for the purposes of—

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(1) 1997 c. 50; section 113B was inserted by section 163(2) of the Serious Organised Crime and Police Act 2005 (c. 15) and was amended, in relation to England, Wales and Northern Ireland by paragraphs 14(1) and (3) of Schedule 9 to the Safeguarding Vulnerable Groups Act 2006 (c. 47) and section 97(2) of, and Part 8 of Schedule 8 to, the Policing and Crime Act 2009 (c. 26). Section 113B was also amended, in relation to England and Wales, by the following Acts and instruments: the Armed Forces Act 2006 (c. 52), Schedule 16, paragraph 149; the Protection of Freedoms Act 2012 (c. 9), sections 79(2)(b), 80(1), 82(1) to (3), paragraphs 35 and 37 of Schedule 9 and Parts 5 and 6 of Schedule 10; the Crime and Courts Act 2013 (c. 22), Schedule 8, paragraphs 55 and 60; S.I. 2009/203; S.I. 2010/1146 and S.I. 2012/3006.

- (i) assessing the quality and standard of the childcare provided,
- (ii) verifying that the prescribed requirements for registration continue to be satisfied, and
- (iii) verifying that a registered provider is complying with any other requirements specified by order or regulations under Part 3 of the Act as are applicable to that provider;

“registered childcare provision” means early years provision or later years provision provided by a registered provider;

“registered person” means a person who is registered under Chapter 2A (regulation of early years childminder agencies) or Chapter 3A (regulation of later years childminder agencies) of Part 3 of the Act;

“registered provider” means a person who is registered with a childminder agency under Chapter 2, 3 or 4 of Part 3 of the Act;

“registration” means—

- (i) in relation to a person who provides or who is proposing to provide childcare, registration under Chapter 2, 3 or 4 of Part 3 of the Act;
- (ii) in relation to a person exercising, or proposing to exercise, the functions of a childminder agency, registration under Chapter 2A or 3A of Part 3 of the Act;

“registration visit” means a visit to a setting undertaken by a childminder agency for the purposes of verifying that the prescribed requirements for registration which apply to a person who is proposing to register under Chapter 2 or 3 of Part 3 of the Act are satisfied and are likely to continue to be satisfied;

“setting” means the premises on which registered childcare provision takes place or, as the case may be, is intended to take place, or took place at the material time, together with any equipment and personnel associated with the provision of that childcare;

“statement of purpose” has the meaning given in paragraph 3 of Schedule 1;

“year of registration” means the period of 12 months beginning on the date of registration or any anniversary of the date of registration.

(2) In these Regulations, the references to employing a person include employing a person whether or not for payment, and whether under a contract of service or a contract for services, and allowing a person to work as a volunteer, but do not include registering a person as a provider, and references to an employee or a person being employed are to be construed accordingly.