WELSH STATUTORY INSTRUMENTS

2010 No. 2574 (W.214)

SOCIAL CARE, WALES

CHILDREN AND YOUNG PERSONS, WALES

The Child Minding and Day Care (Wales) Regulations 2010

Made - - - -	*20 October 2010*
Laid before the National Assembly for Wales	*22 October 2010*
Coming into force	*1 April 2011*

THE CHILD MINDING AND DAY CARE (WALES) REGULATIONS 2010

PART 1

INTRODUCTORY

1. Title, commencement and application
2. Interpretation

PART 2

APPLICATION FOR REGISTRATION UNDER PART 2 OF THE MEASURE

3. Prescribed requirements for registration
4. Information and documentation to accompany application for registration
5. Certificate of registration

PART 3

REGISTERED PERSONS

6. Registered person: suitability
7. Appointment of a person in charge
8. Person in charge: suitability
9. Registered person: general requirements
10. Notification of offences
11. Death of registered person

PART 4

GENERAL REQUIREMENTS AND ENFORCEMENT

12. Requirement to comply with regulations
13. Compliance with regulations – more than one registered person
14. National minimum standards
15. Statement of purpose
16. Review of quality of care
17. Assessment of service
18. Compliance notification
19. Offences

PART 5

ACTIVITIES OF PERSONS REGISTERED UNDER PART 2 OF THE MEASURE

20. Safeguarding and promotion of welfare
21. Food provided for children
22. Arrangements for the protection of children
23. Behaviour management, discipline and restraint
24. Health needs of children
25. Hazards and safety
26. Use and storage of medicines
27. Staffing
28. Suitability of workers
29. Employment of staff
30. Keeping of records
31. Provision of information
32. Complaints
33. Handling complaints
34. Local resolution
35. Formal consideration
36. Complaints subject to concurrent consideration
37. Fitness of premises
38. Fire precautions

PART 6

SUSPENSION OF A PERSON'S REGISTRATION UNDER PART 2 OF THE MEASURE

39. Interpretation
40. Power to suspend registration
41. Period of suspension
42. Notification of suspension, etc
43. Notice provisions
44. Lifting of suspension
45. Rights of appeal
46. Voluntary suspension

PART 7

AMENDMENT, REVOCATION AND SAVING

47. Amendment of the 2002 Regulations
48. Revocation

49. Saving
Signature

SCHEDULE 1 PRESCRIBED REQUIREMENTS FOR REGISTRATION UNDER PART 2 OF THE MEASURE
1. Interpretation
PART 1 — Prescribed requirements for registration: child minding
2. Requirements relating to the applicant
3. The applicant is not disqualified.
4. The applicant has the qualifications, skills and experience necessary to...
5. The applicant is physically and mentally fit to look after...
6. The applicant has provided to the Welsh Ministers an enhanced...
7. Where appropriate , the applicant is registered with the ISA...
8. Requirements relating to other persons : staff
9. Every person mentioned in paragraph 8 has the qualifications, skills...
10. Every person mentioned in paragraph 8 is physically and mentally...
11. An enhanced criminal record certificate has been obtained in respect...
12. Where appropriate, each person mentioned in paragraph 8 is registered...
13. Requirements relating to other persons: all other persons
PART 2 — Prescribed requirements for registration: providers of day care
14. Requirements relating to the applicant: an individual
15. The applicant is of suitable integrity and good character to...
16. The applicant is not disqualified.
17. The applicant has the qualifications, skills and experience necessary to...
18. The applicant is physically and mentally fit to look after...
19. The applicant has provided to the Welsh Ministers an enhanced...
20. Where appropriate, the applicant has registered with the ISA and...
21. Requirements relating to the responsible individual where the applicant is an organisation
22. The responsible individual has the qualifications, skills and experience necessary...
23. The responsible individual is physically and mentally fit to undertake...
24. The applicant has provided to the Welsh Ministers an enhanced...
25. Where appropriate, the responsible individual has registered with the ISA...
26. Requirements relating to the person in charge
27. The person in charge is of suitable integrity and good...
28. The person in charge has the qualifications, skills and experience...
29. The person in charge is physically and mentally fit to...
30. The applicant has provided to the Welsh Ministers an enhanced...
31. Where appropriate, the person in charge has registered with the...
32. Requirements relating to other persons: staff
33. Every person mentioned in paragraph 32 has the qualifications, skills...
34. Every person mentioned in paragraph 32 is physically and mentally...

35. An enhanced criminal record certificate has been obtained in respect...
36. Where appropriate, every person mentioned in paragraph 32 has registered...
37. Requirements relating to other persons: all other persons
SCHEDULE 2 INFORMATION AND DOCUMENTATION REQUIRED FOR REGISTRATION UNDER PART 2 OF THE MEASURE
1. Interpretation
PART 1 — Information and documentation required for registration: child minder
2. (1) This paragraph applies to an individual who is applying...
3. Information about the care provided
4. The statement of purpose.
5. The proposed hours for which the applicant wishes to register...
6. A description of the area in which the premises are...
7. A statement as to the security arrangements, including arrangements for...
8. Whether any other business or activity is, or will be,...
9. The number of children who will be looked after, and...
10. Information about other persons: staff
11. In respect of any person, other than the applicant, who...
12. Information about other persons: all other persons
13. The full name (and any alias and former name) and...
14. The full name (and any alias and former name) and...
15. Documents to be supplied
16. Proof of the applicant's identity, including a recent photograph.
17. Certificates or other suitable evidence relating to the applicant's professional...
18. A certificate of insurance of the applicant in respect of...
19. (1) A written statement made by the applicant confirming—
20. (1) Subject to sub-paragraph (2), a report by a registered...
PART 2 — Information and documentation required for registration: provider of day care
21. Interpretation
22. Information about the applicant: an individual
23. Information about the applicant: an organisation
24. Information about the responsible individual where the applicant is an organisation
25. Information about the person in charge
26. Information about the care provided
27. The statement of purpose.
28. The proposed hours for which the applicant wishes to register...
29. A description of the area in which the premises are...
30. A statement as to the security arrangements, including arrangements for...
31. Where any other business or activity is, or will be,...
32. The number of children for whom care is to be...
33. Information about other persons: staff
34. In respect of any person, other than the responsible individual...
35. Information about other persons: all other persons
36. For the purposes of paragraph 35 person who works on...
37. The full name (and any alias and former name) and...
38. Documents to be supplied

39. Proof of the identity of the applicant and, where appropriate,...
40. Certificates or other suitable evidence relating to the professional or...
41. A certificate of insurance of the applicant in respect of...
42. (1) A written statement made by the applicant confirming—
43. Where the applicant is an organisation, copies of the last...
44. Where the organisation is a subsidiary of a holding company,...
45. The last annual accounts of the organisation, if any.
46. (1) Subject to sub-paragraph (2), a report by a registered...

SCHEDULE 3 RECORDS TO BE MAINTAINED

1. The name, address and telephone number of the registered person,...
2. The name, home address and telephone number of any other...
3. The name, home address, date of birth and sex of...
4. In respect of each relevant child, the name, address and...
5. In respect of each relevant child, the name and address...
6. A daily record of the names of the relevant children,...
7. A record of accidents, serious illness and other significant events...
8. A record of any medicinal product administered to a relevant...
9. Any special dietary or health needs or allergy of any...
10. A statement of the procedure to be followed in the...
11. A statement of the procedure to be followed where a...
12. A statement of the arrangements in place for the protection...
13. A statement of the procedure to be followed in the...
14. The name, home address and telephone number of every current...

SCHEDULE 4 EVENTS TO BE NOTIFIED TO THE WELSH MINISTERS

1. (1) In the case of child minding, a change of...
2. (1) In the case of day care, a change of...
3. Any change— (a) in the name or home address of...
4. Any change in the type of care provided by a...
5. In the case of day care, any change in the...
6. Any change in the hours during which day care or...
7. The outbreak at the relevant premises of any infectious disease,...
8. Any allegations of serious harm to a child committed by...
9. Any other event which may affect the suitability of the...
10. Any other significant event which is likely to affect the...

SCHEDULE 5 AMENDMENT OF THE 2002 REGULATIONS

1. In regulation 2(1) (interpretation) of the 2002 Regulations—

SCHEDULE 6 REVOCATIONS

Column 1 Column 2 Column 3 Instrument revoked Reference Extent...
Explanatory Note

Changes to legislation:
There are currently no known outstanding effects for the The Child Minding and Day Care (Wales) Regulations 2010.