

SCHEDULE 2

Regulations 4, 6, 8, 20 and 28

INFORMATION AND DOCUMENTATION REQUIRED FOR REGISTRATION UNDER PART 2 OF THE MEASURE

Interpretation

1. In this Schedule “applicant” means—

- (a) a person who is applying for registration as a child minder or a provider of day care under Part 2 of the Measure; and
- (b) where the context requires, a person who is registered under Part 2 of the Measure as a child minder or provider of day care.

PART 1

Information and documentation required for registration: child minder

2.—(1) This paragraph applies to an individual who is applying for registration as a child minder.

(2) The applicant’s full name (and any alias or any former name), date of birth, address and telephone number.

(3) Details of the applicant’s professional or technical qualifications and experience, so far as such qualifications and experience are relevant to looking after children under the age of eight.

(4) Details of the applicant’s employment history, including—

- (a) a full employment history, together with a satisfactory written explanation of any gaps in employment;
- (b) where any previous employment or position has involved work with children, so far as reasonably practicable verification of the reason why the employment or position ended;
- (c) the name and address of any present employer and, where relevant, of any previous employers.

(5) The name and address of two referees—

- (a) who are not relatives of the applicant;
- (b) each of whom is able to provide a reference as to the applicant’s competence to look after children under the age of eight; and
- (c) where possible, one of whom is the applicant’s most recent employer.

(6) Details of any business that the applicant carries on or has carried on.

Information about the care provided

3. The name, address, telephone number, facsimile number (if any), electronic mail address (if any) of the premises at which the children are to be looked after (“the premises”), together with a description of the premises and the facilities provided or to be provided for relevant children.

4. The statement of purpose.

5. The proposed hours for which the applicant wishes to register as a child minder.

6. A description of the area in which the premises are located and details as to the access to the premises.

7. A statement as to the security arrangements, including arrangements for the purposes of—

Status: This is the original version (as it was originally made).

- (a) safeguarding access to information held at the premises; and
 - (b) restricting access from adjacent premises, or when the premises form part of a building, from other parts of the building.
8. Whether any other business or activity is, or will be, carried on in the premises at the same time as children are looked after there under the proposed registration and, if so, details of such business or activity.
9. The number of children who will be looked after, and their ages.

Information about other persons: staff

10. In respect of any person, other than the applicant, who looks after or is to look after a relevant child or children—

- (a) the person's name (and any alias and former name) and date of birth;
- (b) the person's duties and responsibilities in relation to that person's work.

11. In respect of any person, other than the applicant, who looks after or is to look after relevant children —

- (a) whether the person is, or is intended to be, resident in the premises;
- (b) if the person is a relative of the applicant, his or her relationship to the applicant;
- (c) whether the person works or is intended to work, on a full-time or on a part-time basis and, if on a part-time basis, the number of hours per week for which it is intended that the person will work;
- (d) the date on which the person commenced, or is intended to commence, work;
- (e) information as to that person's qualifications, experience and skills in so far as it is relevant to the work that the person is to perform;
- (f) a statement by the applicant that he or she is satisfied as to the authenticity of the qualifications, and has verified the experience and skills referred to in sub-paragraph (e);
- (g) a statement by the applicant as to—
 - (i) the suitability as to the person's qualifications for the work that the person is to perform,
 - (ii) whether the person has the skills necessary for such work, and
 - (iii) the person's fitness to work and have regular contact with children under the age of eight;
- (h) a statement by the person as to the state of his or her physical and mental health;
- (i) a statement by the applicant that the person is physically and mentally fit for the purposes of the work which that person is to perform;
- (j) a statement by the applicant as to whether he or she is satisfied as the person's identity, the means by which the applicant has satisfied himself or herself and whether the applicant has obtained a copy of the person's birth certificate;
- (k) confirmation by the applicant that he or she has a recent photograph of the person;
- (l) a statement by the applicant that he or she has obtained—
 - (i) two references relating to the person and that the applicant is satisfied as to the authenticity of those references,
 - (ii) a full employment history, together with a satisfactory written explanation of any gaps in the person's employment, and

- (iii) where the person's previous employment or position has involved work with children, so far as reasonably practicable, verification of the reason why the employment or position ended.

Information about other persons: all other persons

12.—(1) The full name (and any alias and former name), date of birth and address of every person (other than the applicant and a person mentioned in paragraphs 10 and 11) who has attained the age of 16 and who works on the relevant premises and who has, or is likely to have, regular contact with relevant children.

(2) For the purposes of sub-paragraph (1), a person who works on the relevant premises includes a person who works on a voluntary basis.

13. The full name (and any alias and former name) and date of birth of every person who has attained the age of 16 years and who lives on the relevant premises and has, or is likely to have, regular contact with relevant children.

14. The full name (and any alias and former name) and date of birth and address of every person who has attained the age of 16 and who is otherwise present on the relevant premises and who has, or is likely to have, regular contact with relevant children.

Documents to be supplied

15. The applicant's birth certificate.

16. Proof of the applicant's identity, including a recent photograph.

17. Certificates or other suitable evidence relating to the applicant's professional or technical qualifications, so far as such qualifications are relevant to looking after children under the age of eight.

18. A certificate of insurance of the applicant in respect of liability which may be incurred by that person in respect of death, injury, public liability, damage or other loss occurring in relation to the proposed child minding.

19.—(1) A written statement made by the applicant confirming—

- (a) in respect of every person, other than the applicant, who looks after or is intended to look after the children for whom the child minding is provided, that—

- (i) an enhanced criminal record certificate has been issued; and

- (ii) where appropriate⁽¹⁾, registration with the ISA has been completed and that the applicant has that person's ISA registration number; and

- (b) that the applicant will make the certificates so issued and the registration numbers assigned available for inspection by the Welsh Ministers, if the Welsh Ministers so require.

(2) Subject to paragraph (3), a written statement made by the applicant confirming—

- (a) in respect of every person who is mentioned in paragraphs 12 to 14 that—

- (i) an enhanced criminal record certificate has been issued; and

(1) The requirement for persons undertaking regulated activity in child care settings to register with the ISA under the Vetting and Barring Scheme is being introduced incrementally in accordance with Regulations made under the Safeguarding Vulnerable Groups Act 2006 (c. 47). In this respect the term "where appropriate" is to be interpreted in accordance with a person's requirement to register with the ISA explained in the *Vetting and Barring Scheme Guidance* issued by the Home Office in March 2010 (ISBN - 978 - 1 - 84987 - 2020 7).

- (ii) where appropriate, registration with the ISA has been completed and that the applicant has that person's ISA registration number, and
- (b) that the applicant will make the certificates so issued and the registration numbers assigned available for inspection by the Welsh Ministers, if the Welsh Ministers so require.
- (3) Where regulation 20(5) applies and the applicant has no authority to obtain such information or document, a written statement by the applicant that those persons mentioned in paragraphs 12 to 14 will be appropriately supervised at all times when any such person is in contact with a relevant child or children.

20.—(1) Subject to sub-paragraph (2), a report by a registered medical practitioner as to whether the applicant is physically and mentally fit to look after children under the age of eight.

(2) Where the applicant is unable to obtain the report referred to in sub-paragraph (1), a statement by the applicant as to the state of his or her physical and mental health.

PART 2

Information and documentation required for registration: provider of day care

Interpretation

21. In this Part—

“relative” (*“perthynas”*) in relation to any person means—

- (a) the person's spouse or civil partner;
- (b) any parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew or niece of the person or the person's spouse or civil partner;
- (c) the spouse or civil partner of any relative referred to in sub-paragraph (b),
- (d) and for the purposes of determining any such relationship a person's step-child is to be treated as the person's child, references to “spouse” in relation to any person include a former spouse and a person who is living with the person as husband or wife, and references to a “civil partner” include a former civil partner.

Information about the applicant: an individual

22.—(1) This paragraph applies where the applicant is an individual.

(2) The applicant's full name (and any alias and former name), date of birth, address and telephone number.

(3) Details of the applicant's professional or technical qualifications and experience, in so far as such qualifications and experience are relevant to the provision of day care for children under the age of eight.

(4) Details of any business the applicant carries on or has carried on.

(5) Details of the applicant's employment history, including—

- (a) a full employment history, together with a satisfactory written explanation of any gaps in employment;
- (b) where any previous employment or position has involved work with children, so far as reasonably practicable, verification of the reason why the employment or position ended;
- (c) the name and address of any present employer and, where relevant, of any previous employers;

- (d) the name and address of two referees—
 - (i) who are not relatives of the applicant,
 - (ii) each of whom is able to provide a reference as to the applicant's competence to look after children under the age of eight, and
 - (iii) where possible, one of whom is the applicant's most recent employer.

Information about the applicant: an organisation

23.—(1) This paragraph applies where the applicant is an organisation.

(2) The name, address and telephone number of the applicant.

(3) In the case of an applicant organisation which is a company, its registered office or the principal office of the company, its registered number and, in the case of an applicant organisation which is a registered charity, its registered charity number.

(4) If the organisation is a subsidiary of a holding company, the name and address of the holding company, its registered or principal office and any other subsidiary of that holding company.

(5) In this Schedule the words “holding company” (*“cwmni daliannol”*) and “subsidiary” (*“is-gwmni”*) are to be interpreted in accordance with section 1159 of the Companies Act 2006⁽²⁾.

Information about the responsible individual where the applicant is an organisation

24.—(1) This paragraph applies where the applicant is an organisation and as such has nominated a responsible individual.

(2) The full name (and any alias and former name), date of birth, address and telephone number of the responsible individual.

(3) Details of the professional or technical qualifications of the responsible individual and their experience, so far as such qualifications are relevant to—

- (a) the provision of day care for children under the age of eight, or
- (b) where paragraph 25 applies, the supervision of the provision of day care for children under the age of eight.

(4) Except where paragraph 25 applies, details of the responsible individual's employment history, including—

- (a) a full employment history, together with a satisfactory written explanation of any gaps in employment;
- (b) where any previous employment or position has involved work with children, so far as reasonably practicable, verification of the reason why the employment or position ended;
- (c) the name and address of any present employer and, where relevant, of any previous employers;
- (d) the name and address of two referees—
 - (i) who are not relatives of the responsible individual,
 - (ii) each of whom is able to provide a reference as to the responsible individual's competence to look after children under the age of eight, and
 - (iii) where possible, one of whom is the responsible individual's most recent employer.

(2) 2006 c. 46.

Information about the person in charge

25.—(1) This paragraph applies where a person in charge has been appointed.

(2) The full name (and any alias and former name) of the person in charge and, except where that person is also either the applicant or the responsible individual, their date of birth, address and telephone number.

(3) Details of the person's professional or technical qualifications and experience, in so far as such qualifications and experience are relevant to the provision of day care for children under the age of eight.

(4) Details of the person's employment history, including—

- (a) a full employment history, together with a satisfactory written explanation of any gaps in employment;
- (b) where any previous employment or position has involved work with children, so far as reasonably practicable, verification of the reason why the employment or position ended;
- (c) the name and address of any present employer and, where relevant, of any previous employers;
- (d) the name and address of two referees—
 - (i) who are not relatives of the person,
 - (ii) each of whom is able to provide a reference as to the person's competence to look after children under the age of eight, and
 - (iii) where possible, one of whom is the person's most recent employer.

Information about the care provided

26. The name, address, telephone number, facsimile number (if any), electronic mail address (if any) of the premises at which the children are to be looked after ("the premises"), together with a description of the facilities provided or to be provided for children to be looked after, including a statement as to whether the premises are purpose-built or have been converted for use as premises at which children are to be looked after.

27. The statement of purpose.

28. The proposed hours for which the applicant wishes to register as a provider of day care for children.

29. A description of the area in which the premises are located and details as to the access to the premises.

30. A statement as to the security arrangements, including arrangements for the purposes of—

- (a) safeguarding access to information held at the premises; and
- (b) restricting access from adjacent premises, or when the premises form part of a building, from other parts of the building.

31. Where any other business or activity is, or will be, carried on in the premises at the same time as children are looked after there under the proposed registration and, if so, details of such business or activity.

32. The number of children for whom care is to be provided, and their ages.

Information about other persons: staff

33. In respect of any person, other than the responsible individual or, where relevant, the person in charge, who cares or is to care for the children for whom the day care is or is to be provided—

- (a) the person's name (and any alias and former name) and date of birth;
- (b) the person's duties and responsibilities in relation to that person's work.

34. In respect of any person, other than the responsible individual or, where relevant, the person in charge, who cares or is to care for the children for whom the day care is or is to be provided—

- (a) whether the person is, or is intended to be, resident in the premises;
- (b) if the person is a relative of the applicant, his or her relationship to the applicant;
- (c) whether the person works or is intended to work, on a full-time or on a part-time basis and, if on a part-time basis, the number of hours per week for which it is intended that the person will work;
- (d) the date on which the person commenced, or is intended to commence, work;
- (e) information as to that person's qualifications, experience and skills in so far as it is relevant to the work that the person is to perform;
- (f) a statement by the applicant that he or she is satisfied as to the authenticity of the qualifications, and has verified the experience and skills referred to in sub-paragraph (e);
- (g) a statement by the applicant as to—
 - (i) the suitability as to the person's qualifications for the work that the person is to perform,
 - (ii) whether the person has the skills necessary for such work,
 - (iii) the person's fitness to work and have regular contact with children under the age of eight;
- (h) a statement by the person as to the state of his or her physical and mental health;
- (i) a statement by the applicant that the person is physically and mentally fit for the purposes of the work which that person is to perform;
- (j) a statement by the applicant as to whether he or she is satisfied as the person's identity, the means by which the applicant has satisfied himself or herself and whether the applicant has obtained a copy of the person's birth certificate;
- (k) confirmation by the applicant that he or she has a recent photograph of the person;
- (l) a statement by the applicant that he or she has obtained—
 - (i) two references relating to the person and that the applicant is satisfied as to the authenticity of those references,
 - (ii) a full employment history, together with a satisfactory written explanation of any gaps in the person's employment,
 - (iii) where the person's previous employment or position has involved work with children, so far as reasonably practicable, verification of the reason why the employment or position ended.

Information about other persons: all other persons

35. The full name (and any alias and former name), date of birth and address of every person (other than the applicant and a person mentioned in paragraphs 24, 25 and 33) who has attained the age of 16 and who works on the relevant premises and who has, or is likely to have regular contact with relevant children.

36. For the purposes of paragraph 35 person who works on the relevant premises includes a person who works on a voluntary basis.

37. The full name (and any alias and former name) and date of birth of every person who has attained the age of 16 years and who lives on the relevant premises and who has, or is likely to have regular contact with relevant children.

Documents to be supplied

38. The birth certificate of the applicant and, where appropriate, that of the responsible individual and the person in charge.

39. Proof of the identity of the applicant and, where appropriate, the responsible individual and the person in charge, including a recent photograph.

40. Certificates or other suitable evidence relating to the professional or technical qualifications of the applicant and, where appropriate, the responsible individual and the person in charge, so far as such qualifications are relevant to looking after children under the age of eight.

41. A certificate of insurance of the applicant in respect of liability which may be incurred by that person in respect of death, injury, public liability, damage or other loss occurring in relation to the proposed provision of day care.

42.—(1) A written statement made by the applicant confirming—

(a) in respect of every person, other than the applicant, who looks after or is intended to look after the children for whom the day care is provided, that—

(i) an enhanced criminal record certificate has been issued; and

(ii) where appropriate, registration with the ISA has been completed and that the applicant has that person's ISA registration number, and

(b) that the applicant will make the certificates so issued and the registration numbers assigned available for inspection by the Welsh Ministers, if the Welsh Ministers so require.

(2) Subject to paragraph (3), a written statement made by the applicant confirming—

(a) in respect of every person who is mentioned in paragraphs 35 to 37 that—

(i) an enhanced criminal record certificate has been issued; and

(ii) where appropriate, registration with the ISA has been completed and that the applicant has that person's ISA registration number, and

(b) that the applicant will make the certificates so issued and the registration numbers assigned available for inspection by the Welsh Ministers, if the Welsh Ministers so require.

(3) Where regulation 20(5) applies and the applicant has no authority to obtain such information or document, a written statement by the applicant that those persons mentioned in paragraphs 35 to 37 will be appropriately supervised at all times when any such person is in contact with a relevant child or children.

43. Where the applicant is an organisation, copies of the last two annual reports it was required to produce.

44. Where the organisation is a subsidiary of a holding company, the last two annual reports (if any) of the holding company and of any other subsidiary of that holding company.

45. The last annual accounts of the organisation, if any.

46.—(1) Subject to sub-paragraph (2), a report by a registered medical practitioner as to whether the applicant and, where appropriate, the responsible individual and the person in charge, is physically and mentally fit to look after children under the age of eight.

(2) Where a person mentioned in sub-paragraph (1) is unable to obtain the report referred to in that sub-paragraph, a statement by that person as to the state of his or her physical and mental health.