

CHILD CARE ACT 2006

EXPLANATORY NOTES

SUMMARY

Part 3: Regulation of Provision of Childcare in England

15. **Part 3** of the Act puts in place legislative provisions to implement the proposals to reform regulation and inspection of childcare which were set out in the Ten Year Strategy. The Strategy set out the following proposals:
 - To introduce a new legal framework for the integrated regulation and inspection of early education and childcare services.
 - To create a single framework for high quality integrated education and care which underpins the learning and development of children from birth to five.
 - To review the scope of regulation to make sure that different types of settings are subject to appropriate standards.
16. **Chapters 2 - 5** of Part 3 cover the registration, inspection and regulation of the provision of childcare as defined by section 18. Chapter 2 covers the registration of, and requirements to be met by, early years providers. Early years provision is defined in section 20 as provision of childcare for a young child. A child is regarded as a young child until 1st September following his 5th birthday. Chapter 2 sets out who will be required to be registered as an early years childminder (that is, someone who operates on domestic premises) or other early years provider. Chapter 2 goes on to put in place measures for the registration, inspection and regulation of early years providers. It makes provision for the establishment of the Early Years Foundation Stage (EYFS) for the purpose of promoting the well-being of young children who are receiving early years provision (section 39).
17. **Chapter 3** of Part 3 covers registration, inspection and regulation requirements for childcare for children from 1 September following their 5th birthday up to the age of eight.
18. **Chapter 4** of Part 3 covers the process of voluntary registration and the regulation of those persons who register voluntarily. Voluntary registration is available to all those who are not required to be registered (other than certain providers based in schools) but who look after children below an age to be prescribed in regulations, providing that they meet the registration requirements. Providers who are exempted from compulsory registration by subordinate legislation are among those who may be able to register voluntarily.
19. **Chapter 5** of Part 3 includes provisions which apply to all registered childcare providers. It includes provisions relating to cancellation and suspension of registration, disqualification from registration and removal from the registers. It also includes provisions dealing with inspectors' rights of entry and powers and duties in relation to provision of information about providers. Provision is made relating to offences and criminal proceedings. There are other miscellaneous provisions including provisions relating to fees for registration, co-operation between local authorities and the Chief

*These notes refer to the Childcare Act 2006 (c.21)
which received Royal Assent on 11 July 2006*

Inspector, combining registration certificates, communication of notices, the definition of school and employees of childcare providers.