

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

CHILD CARE ACT 2006

EXPLANATORY NOTES

COMMENTARY ON SECTIONS AND SCHEDULES

Part 3 – Regulation of Provision of Childcare in England

Chapter 2: Regulation of Early Years Provision

Section 42: Further provisions about assessment arrangements

98. This section enables the Secretary of State, when making a learning and development order under section 39(1)(a) specifying assessment arrangements, to confer or impose functions on the persons listed under *subsection (2)*. The order may specify, for example, when, how and by whom young children are to be assessed, as well as the purpose of any such arrangements. Provision must be made for ascertaining whether the purpose of the assessment arrangements is being achieved, and to facilitate this providers may be required to allow anyone on whom the order has conferred functions relating to the monitoring of assessment arrangements to enter premises and monitor those arrangements.
99. *Subsection (6)* allows a learning and development order to provide that details of assessment arrangements may be published in a separate document. The provision made by the separate document has effect as if it had been made in the learning and development order.