

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

CHILDCARE ACT 2006

EXPLANATORY NOTES

COMMENTARY ON SECTIONS AND SCHEDULES

Part 3 – Regulation of Provision of Childcare in England

Chapter 5 – Common Provisions

Section 97: Employees not regarded as providing childcare

181. The effect of section 97 is that where an early years or later years provider employs an individual to care for a child the employee cannot be registered (because the employee is not regarded as providing early years or later years provision for the purposes of Part 3). The employer (as the early years or later years provider) will be under an obligation to ensure that the early years or later years provision meets any legal requirements (for example, an early years provider registered under Chapter 2 of Part 3 will be required to secure that the early years provision meets the learning and development requirements). The employer will also be under an obligation to ensure that they do not employ anyone who is disqualified in connection with early or later years provision (see section 76(3)).