

SCHEDULES

SCHEDULE 4

CHILDMINDER AGENCIES: AMENDMENTS

PART 5

PROVISIONS APPLYING IN RELATION TO ALL CHILDMINDER AGENCIES

36 After section 69A (as inserted by paragraph 35) insert—

“69B Cancellation of registration: childminder agencies

- (1) The Chief Inspector must cancel the registration of a person registered under Chapter 2A or 3A as an early years childminder agency or a later years childminder agency if it appears to the Chief Inspector that the person has become disqualified from registration by regulations under section 76A.
- (2) The Chief Inspector may cancel the registration of a person registered under Chapter 2A or 3A as an early years childminder agency or a later years childminder agency if it appears to the Chief Inspector—
 - (a) that the prescribed requirements for registration which apply in relation to the person’s registration under that Chapter have ceased, or will cease, to be satisfied,
 - (b) that the person has failed to comply with a condition imposed on the registration under that Chapter,
 - (c) that the person has failed to comply with a requirement imposed by regulations under that Chapter,
 - (d) that the person has failed to comply with a requirement imposed by this Chapter, or by regulations under this Chapter, or
 - (e) that the person has failed to pay a prescribed fee.
- (3) Where a requirement to make any changes or additions to any services has been imposed on a person registered under Chapter 2A or 3A as an early years childminder agency or a later years childminder agency, the person’s registration may not be cancelled on the ground of any defect or insufficiency in the services, if—
 - (a) the time set for complying with the requirements has not expired, and
 - (b) it is shown that the defect or insufficiency is due to the changes or additions not having been made.
- (4) Regulations may make provision about the effect of the cancellation under this section of the registration under Chapter 2A or 3A of an early years childminder agency or a later years childminder agency on an early years

Status: This is the original version (as it was originally enacted).

provider or a later years provider registered with the agency for the purposes of Chapter 2, 3 or 4.

69C Suspension of registration: childminder agencies

- (1) Regulations may provide for the registration of a person registered under Chapter 2A or 3A as an early years childminder agency or a later years childminder agency to be suspended for a prescribed period in prescribed circumstances.
- (2) Regulations under subsection (1) must include provision conferring on the registered person a right of appeal to the Tribunal against suspension.
- (3) Regulations under subsection (1) may make provision about the effect of the suspension of the registration of an early years childminder agency or a later years childminder agency on an early years provider or a later years provider registered with the agency for the purposes of Chapter 2, 3 or 4.
- (4) A person registered under Chapter 2A as an early years childminder agency may not, at any time when the person's registration under that Chapter is suspended in accordance with regulations under this section—
 - (a) exercise any functions of an early years childminder agency, or
 - (b) represent that the person may exercise such functions.
- (5) A person registered under Chapter 3A as a later years childminder agency may not, at any time when the person's registration under that Chapter is suspended in accordance with regulations under this section—
 - (a) exercise any functions of a later years childminder agency, or
 - (b) represent that the person may exercise such functions.
- (6) A person commits an offence if, without reasonable excuse, the person contravenes subsection (4) or (5).
- (7) A person guilty of an offence under subsection (6) is liable on summary conviction to a fine not exceeding level 5 on the standard scale."