

---

STATUTORY INSTRUMENTS

---

**2015 No. 1562**

**The Childcare (Miscellaneous Amendments) Regulations 2015**

**PART 1**

**Amendments**

**Amendments to the Childcare (General Childcare Register) Regulations 2008**

- 5.—(1) The Childcare (General Childcare Register) Regulations 2008(1) are amended as follows.
- (2) After regulation 3 (revocation of the Childcare (Voluntary Registration) Regulations 2007), insert—

**“Review**

**3A.** By 31st December 2020, and subsequently at intervals not exceeding 5 years from that date, the Secretary of State must, in accordance with section 30 of the Small Business, Enterprise and Employment Act 2015—

- (a) carry out a review of the amendments made by the Childcare (Miscellaneous Amendments) Regulations 2015 to these Regulations;
  - (b) set out the conclusions of the review in a report; and
  - (c) publish the report.”
- (3) In Schedule 1 (applications for registration: later years childminders)—
- (a) in paragraph 7(1), for “Every” substitute “If the relevant premises are domestic premises, every”;
  - (b) after paragraph 8 insert—

**“Requirements relating to non-domestic premises**

**8A.** If any of the later years childminding is to be provided on non-domestic premises, the relevant person has approved the suitability of each of the non-domestic premises before the later years childminding is provided there.”;

- (c) in paragraph 12(1), for “The” at the beginning substitute “If the relevant premises are domestic premises, the”;
- (d) in paragraph 13, for “The” at the beginning substitute “If the relevant premises are domestic premises, the”; and
- (e) after paragraph 15, insert—

---

(1) [S.I. 2008/975](#), amended by [S.I. 2009/1545](#) and [S.I. 2014/912](#); there are other amending instruments but none are relevant. See section 32(3) of the Act for the meaning of “the general childcare register”. See sections 96 and 98 of the Act for the meaning of “later years provision”, “later years provider” and “later years childminding”.

**“Information about non-domestic premises**

**16.** If any of the later years childminding is to be provided on non-domestic premises, a description of each of the non-domestic premises, including a description of why each of the non-domestic premises is considered to be suitable for the later years childminding.”.

- (4) In Schedule 2 (applications for registration: other later years providers)—
- (a) in paragraph 5(b), omit “on domestic premises”;
  - (b) in paragraph 11—
    - (i) in the heading, omit “on domestic premises”;
    - (ii) for sub-paragraph (1), substitute—
      - “(1) This paragraph applies in the case of later years provision which is not later years childminding by virtue of section 96(9) of the Act.”;
    - (iii) after sub-paragraph (6) insert—
      - “(7) Sub-paragraphs (4) and (6) do not apply in relation to non-domestic premises.”;
  - (c) after paragraph 11 insert—

**“Requirements relating to premises**

**11A.** The relevant person has approved the suitability of each of the relevant premises before the later years provision is provided there.”;

- (d) in paragraph 17—
- (i) in the heading, omit “on domestic premises”;
  - (ii) for sub-paragraph (1), substitute—
    - “(1) This paragraph applies in the case of later years provision which is not later years childminding by virtue of section 96(9) of the Act.”;
  - (iii) after sub-paragraph (5) insert—
    - “(6) Sub-paragraphs (3) and (5) do not apply in relation to non-domestic premises.”; and
  - (e) after paragraph 18, insert—

**“Information about premises**

**19.** A description of each of the relevant premises, including a description of why each of the relevant premises is considered to be suitable for the later years provision.”.

- (5) In Schedule 3 (requirements governing activities: section 59)—
- (a) after paragraph 9(2), insert—
    - “(3) This paragraph does not apply to later years childminding on non-domestic premises.”;
  - (b) after paragraph 13, insert—

**“Approval of the suitability of additional premises**

**13ZA.**—(1) This paragraph applies if a later years provider (“P”) proposes to provide later years provision (“the proposed provision”) on additional premises.

- (2) If the proposed provision is later years childminding and the additional premises are non-domestic premises, P must—
- (a) demonstrate to the relevant person that the requirements in paragraphs 5 and 6 of Schedule 1 will be satisfied, and are likely to continue to be satisfied, in relation to the proposed provision; and
  - (b) send to the relevant person the information in paragraphs 11 and 14 to 16 of Schedule 1.
- (3) If the proposed provision would be later years childminding but for section 96(9) of the Act, P must—
- (a) demonstrate to the relevant person that the requirements in paragraphs 3 to 5, 10 and 11 of Schedule 2 will be satisfied, and are likely to continue to be satisfied, in relation to the proposed provision; and
  - (b) send to the relevant person the information in paragraphs 17 to 19 of Schedule 2.
- (4) If the proposed provision does not fall within paragraphs (2) or (3), P must—
- (a) demonstrate to the relevant person that the requirements in paragraphs 3 to 5 and 10 of Schedule 2 will be satisfied, and are likely to continue to be satisfied, in relation to the proposed provision; and
  - (b) send to the relevant person the information in paragraphs 18 and 19 of Schedule 2.
- (5) In this paragraph, “additional premises” means premises which the relevant person has not already approved as suitable for the purposes of paragraph 8A of Schedule 1 or paragraph 11A of Schedule 2 in relation to P.”;
- (c) in paragraph 28, for “The certificate” substitute “A certificate”; and
  - (d) in paragraph 29, after “suspended” insert “, generally or only in relation to particular premises,”.
- (6) In Schedule 4 (applications for registration in Part B of the general childcare register: childminders)—
- (a) in paragraph 7(1), for “Every” substitute “If the relevant premises are domestic premises, every”;
  - (b) in paragraph 13(1), for “The” at the beginning substitute “If the relevant premises are domestic premises, the”;
  - (c) in paragraph 14, for “The” at the beginning substitute “If the relevant premises are domestic premises, the”; and
  - (d) after paragraph 17 insert—

**“Information about non-domestic premises**

**18.** If early years childminding or later years childminding (or both) is to be provided on non-domestic premises, a description of each of the non-domestic premises, including a description of why each of the non-domestic premises is considered to be suitable for the early years childminding or the later years childminding.”.

- (7) In Schedule 5 (applications for registration in Part B of the general childcare register: other childcare providers)—
- (a) in paragraph 9—
    - (i) in the heading, omit “on domestic premises”;
    - (ii) for sub-paragraph (1), substitute—

“(1) This paragraph applies in the case of childcare which is not early years childminding or later years childminding by virtue of section 96(5) or (9) of the Act.”;

(iii) after sub-paragraph (6) insert—

“(7) Sub-paragraphs (4) and (6) do not apply in relation to non-domestic premises.”;

(b) in paragraph 17—

(i) in the heading, omit “on domestic premises”;

(ii) for sub-paragraph (1), substitute—

“(1) This paragraph applies in the case of childcare which is not early years childminding or later years childminding by virtue of section 96(5) or (9) of the Act.”;

(iii) after sub-paragraph (5) insert—

“(6) Sub-paragraphs (3) and (5) do not apply in relation to non-domestic premises.”; and

(c) after paragraph 18 insert—

#### **“Information about premises**

**19.** A description of each of the relevant premises, including a description of why each of the relevant premises is considered to be suitable for the childcare.”.

(8) In Schedule 6 (requirements governing the activities of persons registered voluntarily)—

(a) in paragraph 11—

(i) in sub-paragraph (1), for “In the case of a registered person who is not a home child-carer, every” substitute “Every”;

(ii) after paragraph 11(2), insert—

“(3) This paragraph does not apply if the registered person is—

(a) a home child-carer, or

(b) a childminder providing childcare on non-domestic premises.”;

(b) after paragraph 14, insert—

#### **“Approval of the suitability of additional premises**

**14A.**—(1) This paragraph applies if a person (“P”) who is registered in Part B of the general childcare register wishes to seek the relevant person’s approval of the suitability of additional premises for providing early years provision or later years provision (or both) (“the proposed provision”).

(2) If the proposed provision is early years childminding or later years childminding (or both) and the additional premises are non-domestic premises, P must—

(a) demonstrate to the relevant person that the requirements in paragraphs 5 and 6 of Schedule 4 will be satisfied, and are likely to continue to be satisfied, in relation to the proposed provision; and

(b) send to the relevant person the information in paragraphs 12 and 15 to 18 of Schedule 4.

(3) If the proposed provision would be early years childminding but for section 96(5) of the Act or later years childminding but for section 96(9) of the Act, P must—

- (a) demonstrate to the relevant person that the requirements in paragraphs 3 to 5 and 9 to 11 of Schedule 5 will be satisfied, and are likely to continue to be satisfied, in relation to the proposed provision; and
  - (b) send to the relevant person the information in paragraphs 17 to 19 of Schedule 5;
- (4) If the proposed provision does not fall within paragraphs (2) or (3), P must—
- (a) demonstrate to the relevant person that the requirements in paragraphs 3 to 5, 10 and 11 of Schedule 5 will be satisfied, and are likely to continue to be satisfied, in relation to the proposed provision; and
  - (b) send to the relevant person the information in paragraphs 18 and 19 of Schedule 5.
- (5) In this paragraph, “additional premises” means premises which the relevant person has not already approved as suitable for the provision of early years provision, later years provision (or both) by P.”;
- (c) in paragraph 31(1), for “the certificate” substitute “a certificate”; and
  - (d) in paragraph 32, after “suspended”, in each place where the word occurs, insert “, generally or only in relation to particular premises.”.