
STATUTORY INSTRUMENTS

2015 No. 1562

The Childcare (Miscellaneous Amendments) Regulations 2015

PART 1

Amendments

Amendments to the Childcare (Early Years and General Childcare Registers) (Common Provisions) Regulations 2008

6.—(1) The Childcare (Early Years and General Childcare Registers) (Common Provisions) Regulations 2008(1) are amended as follows.

(2) In regulation 2 (interpretation)—

(a) after the definition of “the Act” insert—

““additional premises application” means an application by the registered person to the relevant person for approval of the suitability of additional premises—

(a) under regulation 8A of the Early Years Foundation Stage (Welfare Requirements) Regulations 2012;

(b) under paragraph 13ZA of Schedule 3 to the Childcare (General Childcare Register) Regulations 2008; or

(c) under paragraph 14A of Schedule 6 to the Childcare (General Childcare Register) Regulations 2008;

“additional premises” means premises which the relevant person has not already approved as suitable for the provision of childcare by the registered person;

“approved premises” means premises that have been approved by the relevant person as suitable for the provision of childcare by the registered person at the time of registration or following an additional premises application;”;

(b) after the definition of “registered person” insert—

““relevant person” means the Chief Inspector or, if the registered person is registered with a childminder agency, the childminder agency.”.

(3) After regulation 3 (prescribed day for the purposes of the definition of “later years provision”), 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.”.

(4) For regulation 6 (content of certificate of registration issued by the Chief Inspector), substitute—

“Content of certificate of registration issued by the Chief Inspector

6.—(1) A certificate of registration given in accordance with section 37, 56 or 64 of the Act must contain the following information—

- (a) the name of the registered person;
- (b) the registered person’s principal postal correspondence address;
- (c) the date of registration;
- (d) any unique reference number or other identifier issued by the Chief Inspector in respect of the registration;
- (e) whether the registered person is registered in the early years register or Part A or B of the general childcare register;
- (f) whether the registered person is registered as an early years childminder, a later years childminder or as a provider of childcare other than early years childminding or later years childminding;
- (g) any conditions imposed on the registered person’s registration under section 38, 58 or 66 of the Act, and the date on which they were imposed;
- (h) if the registered person is registered as an early years childminder or a later years childminder—
 - (i) the address of the domestic premises where the registered person provides the early years childminding or the later years childminding; and
 - (ii) the address of approved premises which are non-domestic premises;
- (i) if the registered person provides early years provision or later years provision which would be early years childminding or later years childminding but for section 96(5) or (9) of the Act, the address of approved premises; and
- (k) if the registered provider does not fall within paragraph (h) or (i)—
 - (i) the address of approved premises; and
 - (ii) the date on which the premises were approved.”.

(5) In regulation 7 (content of combined certificate of registration)—

- (a) for “(g)” substitute “(k)”; and
- (b) for “each registration of that person” substitute “the registered person’s registration”.

(6) In regulation 7A (content of certificate of registration issued by a childminder agency)—

- (a) after paragraph (a), insert—
 - “(aa) the registered person’s principal postal correspondence address;”;
- (b) in paragraph (e), for “premises in respect of which that provider is registered” substitute “approved premises”; and
- (c) in paragraph (g), after “person is registered” insert—
 - “(h) if the registered person is registered as an early years childminder or a later years childminder—

- (i) the address of the domestic premises where the registered person provides the early years childminding or the later years childminding; and
 - (ii) the address of approved premises which are non-domestic premises.”.
- (7) After regulation 7A, insert—

“PART 3A

Premises

Certain providers: offence of providing provision other than on approved premises

7B.—(1) A registered person who, without reasonable excuse, fails to comply with a prescribed requirement in relation to the premises on which early years provision or later years provision is provided is guilty of an offence and is liable on summary conviction to a fine.

(2) The prescribed requirements are those in—

- (a) paragraph 11A of Schedule 1 to the Childcare (Early Years Register) Regulations 2008 for early years childminders registered in the early years register;
- (b) paragraph 14A of Schedule 2 to the Childcare (Early Years Register) Regulations 2008 for early years providers registered in the early years register other than early years childminders;
- (c) paragraph 8A of Schedule 1 to the Childcare (General Childcare Register) Regulations 2008 for later years childminders registered in Part A of the general childcare register;
- (d) paragraph 11A of Schedule 2 to the Childcare (General Childcare Register) Regulations 2008 for other later years providers registered in Part A of the general childcare register other than early years childminders.

Relevant person’s obligation to determine an additional premises application

7C.—(1) This regulation applies if the relevant person receives an additional premises application.

(2) If the relevant person considers that the additional premises, and the arrangements for the childcare proposed on the additional premises, are suitable, the relevant person must approve the additional premises application.

(3) If the relevant person considers that the additional premises, or the arrangements for the childcare proposed on the additional premises, are not suitable, the relevant person must refuse the additional premises application.

Appeal against refusal by the Chief Inspector of an additional premises application

7D. A determination by the Chief Inspector to refuse an additional premises application is prescribed for the purposes of section 74(2) of the Act.”.

(8) In regulation 8 (suspension of registration), after “suspended” insert “, generally or only in relation to particular premises,”.

(9) In regulation 10 (suspension of registration: further provisions)—

- (a) in paragraph (1) after “suspended” insert “, generally or only in relation to particular premises,”; and

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (b) in paragraph (2) after “registration” insert “, generally or only in relation to particular premises,”.
- (10) In regulation 12 (appeal against suspension)—
 - (a) in paragraph (1), after “suspended” insert “, generally or only in relation to particular premises,”; and
 - (b) omit “First-tier”(2) in each place where the words occur.

(2) See sections 69(11) and 98(1) of the Act for the meaning of “the Tribunal”.