
STATUTORY INSTRUMENTS

2015 No. 1562

The Childcare (Miscellaneous Amendments) Regulations 2015

PART 1

Amendments

Amendments to the Early Years Foundation Stage (Welfare Requirements) Regulations 2012

8.—(1) The Early Years Foundation Stage (Welfare Requirements) Regulations 2012⁽¹⁾ are amended as follows.

(2) After regulation 2 (interpretation), insert—

“Review

2A. 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 regulation 3(1), for “7, 8 and 9” substitute “7 to 9”.

(4) After regulation 8, insert—

“Approval of the suitability of additional premises

8A.—(1) This regulation applies if a registered early years provider (“P”) proposes to provide early years provision (“the proposed provision”) on additional premises.

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

- (a) demonstrate to the relevant person that the requirements in paragraphs 7 to 9 of Schedule 1 to the 2008 Regulations 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 21 to 23 of Schedule 1 to the 2008 Regulations.

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

- (a) demonstrate to the relevant person that the requirements in paragraphs 5 to 8, 13 and 14 of Schedule 2 to the 2008 Regulations 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 24 to 26 of Schedule 2 to the 2008 Regulations.
- (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 5 to 8 and 13 of Schedule 2 to the 2008 Regulations 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 25 and 26 of Schedule 2 to the 2008 Regulations.
- (5) In this regulation—
 - “the 2008 Regulations” means the Childcare (Early Years Register) Regulations 2008; and
 - “additional premises” means premises which the relevant person has not already approved as suitable for the purposes of paragraph 11A of Schedule 1 or paragraph 14A of Schedule 2 to the 2008 Regulations in relation to P.”.
- (5) In paragraph 11 of the Schedule—
 - (a) before sub-paragraph (a) insert—
 - “(za) any change of the persons who are providing care for children as part of the early years childminding;”;and
 - (b) in sub-paragraph (a)—
 - (i) before “any” insert “if the early years childminding is provided on domestic premises;”;
 - (ii) for “the premises on which childcare is provided” substitute “those premises”.