EXPLANATORY NOTES

CHILDCARE ACT 2006

INTRODUCTION

BACKGROUND

OVERVIEW

SUMMARY

PART 1: GENERAL FUNCTIONS OF LOCAL AUTHORITY: ENGLAND

PART 2: GENERAL FUNCTIONS OF LOCAL AUTHORITY: WALES

PART 3: REGULATION OF PROVISION OF CHILDCARE IN ENGLAND

PART 4: MISCELLANEOUS AND GENERAL

TERRITORIAL APPLICATION

COMMENTARY ON SECTIONS AND SCHEDULES

PART 1: GENERAL FUNCTIONS OF LOCAL AUTHORITY: ENGLAND

Sections 1- 5: overview

Section 1: General duties of local authority in relation to well-being of young children

Section 2: Meaning of "early childhood services" for purposes of

Section 3: Specific duties of local authority in relation to early childhood services

Section 4: Duty of local authority and relevant partners to work together

Section 5: Power to amend sections 2 to 4

Sections 6-13: overview

Section 6: Duty to secure sufficient childcare for working parents

Section 7: Duty to secure prescribed early years provision free of charge

Section 8: Powers of local authority in relation to the provision of childcare

Section 9: Arrangements between local authority and childcare providers

Section 10: Charges where local authority provide childcare

Section 11: Duty to assess childcare provision

Section 12: Duty to provide information, advice and assistance

Section 13: Duty to provide information, advice and training to childcare providers

Sections 14 and 15: Inspection and powers of Secretary of State to secure proper performance

Section 16: Amendments of Children Act 2004

Section 17: Charges for early years provision at maintained school

Sections 18 to 21: Meaning of childcare and other terms

PART 2 - GENERAL FUNCTIONS OF LOCAL AUTHORITY: WALES

Section 22: Duty to secure sufficient childcare for working parents

Section 23: Powers of local authority in relation to the provision of childcare

Section 24: Arrangements between local authority and childcare providers

Section 25: Charges where local authority provide childcare

Section 26: Power to require local authority to assess childcare provision

Section 27: Duty to provide information, advice and assistance

Sections 28 and 29: Inspection and Powers of Assembly to secure proper performance

Section 30: Interpretation of Part 2

PART 3 - REGULATION OF PROVISION OF CHILDCARE IN ENGLAND

Chapter 1: General Functions of Chief Inspector

Section 31: General functions of the Chief Inspector

Section 32: Maintenance of the two childcare registers

Chapter 2: Regulation of Early Years Provision

Section 33: Requirement to register: early years childminders

Section 34: Requirement to register: other early years providers

Section 35: Applications for registration: early years childminders

Section 36: Applications for registration: other early years providers

Section 37: Entry on the register and certificates

Section 38: Conditions on registration

Section 39: The Early Years Foundation Stage

Section 40: Duty to implement the Early Years Foundation Stage

Section 41: The learning and development requirements

Section 42: Further provisions about assessment arrangements

Section 43: Welfare requirements

Section 44: Instruments specifying learning and development or welfare requirements

Section 45: Procedure for making certain orders specifying learning and development requirements

Section 46: Power to enable exemptions to be conferred

Section 47: Independent Schools

Section 48 and Schedule 1: Amendments relating to curriculum

Section 49: Inspections

Section 50: Report of inspections

Section 51: Interpretation of Chapter 2

Chapter 3: Regulation of Later Years Provision for children under 8

Section 52: Requirement to register: later years childminders for children under eight

Section 53: Requirement to register: other later years providers for children under eight

Section 54: Applications for registration: later years childminders

Section 55: Applications for registration: other later years providers

Section 56: Entry on the register and certificates

Section 57: Special procedure for registered early years providers

Section 58: Conditions on registration

Section 59: Regulations governing activities

Section 60: Inspections

Section 61: Report of inspections

Chapter 4 – Voluntary registration

Section 62: Applications for registration on the general register: childminders

Section 63: Applications for registration on the general register: other childcare providers

Section 64: Entry on the register and certificates
Section 65: Special procedure for persons already registered
Section 66: Conditions on registration
Section 67: Regulations governing activities
Chapter 5 – Common Provisions
Section 68: Cancellation of registration
Section 69: Suspension of registration
Section 70: Voluntary removal from register
Section 71: Termination of voluntary registration on expiry of prescribed period
Section 72: Protection of children in an emergency
Section 73 - Procedure for taking certain steps
Section 74: Appeals
Section 75: Disqualification from registration
Section 76: Consequences of disqualification
Section 77: Powers of entry
Section 78: Requirement for consent to entry
Section 79: Power of constable to assist in exercise of powers of entry
Section 80: Combined reports
Section 81: Information to be included in annual reports
Section 82: Supply of information to Chief Inspector
Section 83: Supply of Information to HMRC and local authorities
Section 84: Disclosure of information for certain purposes
Section 85: Offence of making false or misleading statement
Section 86: Time limit for proceedings
Sections 87 and 88: Offences by bodies corporate and unincorporated associations
Section 89: Fees

Section 90: Cases where consent to disclosure withheld

Section 91: Co-operation between authorities

Section 92: Combined certificates of registration

Section 93: Notices

Section 94: Power to amend Part 3: applications in respect of multiple premises

Section 95: Certain institutions not to be regarded as schools

Section 96: Meaning of early years and later years provision

Section 97: Employees not regarded as providing childcare

Section 98: Interpretation

PART 4 – MISCELLANEOUS AND GENERAL

Section 99: Provision of information about young children: England

Section 100: Provision of information about young children: transitory provision

Section 101: Provision of information about children: Wales

Section 102: Disqualification for registration under Children Act 1989

Section 103: Minor and consequential amendments and repeals

Sections 104 and 105: Subordinate legislation

Sections 108: Isles of Scilly

Sections 109 and 110: Commencement

Section 111: Short title and extent

HANSARD REFERENCES