



Children and Families Act 2014

2014 CHAPTER 6

PART 4

CHILDCARE ETC

84 Childminder agencies

Schedule 4 (amendments to the Childcare Act 2006 to provide for the registration of childminder agencies on the childcare registers and the registration of certain childcare providers with those agencies, and other related amendments) has effect.

85 Inspections at request of providers of childcare to young children

In section 49 of the Childcare Act 2006 (inspections of early years provision), after subsection (5) insert—

“(5A) The Chief Inspector may charge a prescribed fee for conducting an inspection of early years provision where—

- (a) the inspection is conducted at the request of a registered person who provides that early years provision, and
- (b) the Chief Inspector is required by the Secretary of State under subsection (2)(b) to conduct that inspection.”

86 Repeal of local authority’s duty to assess sufficiency of childcare provision

Section 11 of the Childcare Act 2006 (duty of local authority in England to assess sufficiency of childcare provision) is repealed.

87 Discharge of authority’s duty to secure free early years provision

- (1) Part 1 of the Childcare Act 2006 (general functions of local authorities in England in relation to childcare) is amended as follows.

- (2) After section 7 (duty to secure early years provision free of charge in accordance with regulations) insert—

“7A Discharge of duty under section 7

- (1) Regulations may require an English local authority to discharge its duty to a young child under section 7 by making arrangements which secure that an early years provider chosen by a parent of the child provides the early years provision to which the child is entitled in cases where—
- (a) the early years provider is willing to provide it, and
 - (b) the early years provider is also willing to accept—
 - (i) any terms as to the payments which would be made to him or her in respect of the provision, and
 - (ii) any requirements which would be imposed in respect of it.
- (2) Arrangements made by an authority to satisfy any requirement imposed under subsection (1) may be made with an early years provider or with an early years childminder agency or any other person who is able to arrange for an early years provider to provide early years provision.
- (3) The regulations may provide that such a requirement—
- (a) applies only if the early years provider is of a prescribed description;
 - (b) applies only if the early years provision provided by the early years provider is of a prescribed description;
 - (c) does not apply in prescribed circumstances.
- (4) The regulations may provide that arrangements made by an authority for the purpose of complying with such a requirement must include provision allowing the local authority to terminate the arrangements in prescribed circumstances.
- (5) In this section—
- “early years childminder agency” and “early years provider” have the same meanings as in Part 3;
 - “parent” has the same meaning as in section 2.”

- (3) After section 9 (arrangements between local authority and childcare providers) insert—

“9A Arrangements made by local authorities for the purposes of section 7

Regulations may provide that arrangements made by an English local authority for the purpose of discharging its duty under section 7—

- (a) may impose requirements on the person with whom the arrangements are made only if the requirements are of a prescribed description;
- (b) may not impose requirements of a prescribed description on the person with whom the arrangements are made.”

88 Governing bodies: provision of community facilities

- (1) Section 28 of the Education Act 2002 (limits on the powers of governing bodies of maintained schools to provide community facilities etc under section 27) is amended as follows.
- (2) In subsection (4), for “a governing body” substitute “the governing body of a maintained school in Wales”.
- (3) Omit subsection (4C).
- (4) In subsection (5)—
 - (a) for “a governing body” substitute “the governing body of a maintained school in Wales”, and
 - (b) in paragraph (a) omit “(in relation to England) by the Secretary of State or (in relation to Wales)”.

89 Childcare costs scheme: preparatory expenditure

The Commissioners for Her Majesty’s Revenue and Customs may incur expenditure in preparing for the introduction of a scheme for providing assistance in respect of the costs of childcare.