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STATUTORY INSTRUMENTS

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**2012 No. 939**

**CHILDREN AND YOUNG PERSONS, ENGLAND**

**The Childcare (Early Years Register)  
(Amendment) Regulations 2012**

<i>Made</i>	- - - -	<i>26th March 2012</i>
<i>Laid before Parliament</i>		<i>27th March 2012</i>
<i>Coming into force</i>	- -	<i>1st September 2012</i>

The Secretary of State for Education makes the following Regulations in exercise of the powers conferred by sections 35(3)(b) and (5), 36(2)(a), (3)(b) and (5) and 104(2) of the Childcare Act 2006<sup>(1)</sup>.

**Citation and commencement**

1. These Regulations may be cited as the Childcare (Early Years Register) (Amendment) Regulations 2012 and come into force on 1st September 2012.

**Amendments to the Childcare (Early Years Register) Regulations 2008**

2.—(1) The Childcare (Early Years Register) Regulations 2008<sup>(2)</sup> are amended as follows.

(2) In Schedule 1 (applications for registration: early years childminders) after paragraph 3 insert—

“**3A.** The applicant has completed an appropriate course approved by an English local authority designed to enable the applicant to meet the EYFS learning and development requirements and the EYFS welfare requirements.”.

(3) In Schedule 2 (applications for registration: other early years providers)—

(a) for paragraph 8 substitute—

“**8.** The applicant has obtained an enhanced criminal record certificate in respect of the manager (if not the applicant).”; and

(b) omit paragraphs 18 to 23.

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(1) 2006 c. 21. See section 106 for the definitions of “prescribed” and “regulations”.

(2) S.I. 2008/974.

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**Status:** This is the original version (as it was originally made).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

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26th March 2012

*Sarah Teather*  
Minister of State  
Department for Education

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Childcare (Early Years Register) Regulations 2008 which made provision for the Early Years Register of childminders and other providers of childcare. The register is maintained by Her Majesty's Chief Inspector of Education, Children's Services and Skills ("the Chief Inspector") under Chapter 2 of Part 3 of the Childcare Act 2006.

Regulation 2(2) amends Schedule 1 (registration of early years childminders) so that, prior to registration, an applicant must have completed an appropriate course approved by an English Local Authority, designed to help the applicant to understand and implement the Early Years Foundation Stage learning and development requirements and welfare requirements. Prior to the amendment the course did not need to be completed before registration but within six months of registering.

Regulation 2(3) amends Schedule 2 (registration of other early years providers). The amendments require an applicant who is not a childminder to obtain an enhanced criminal record certificate in respect of the manager of the early years provision. (This was previously undertaken by Ofsted.) The amendments accordingly remove the requirement on the applicant to send an application for an enhanced criminal record certificate in respect of a manager to the Chief Inspector. They also remove the requirement on the applicant to include information relating to a manager in the registration application (name, date of birth, address, telephone number, referees, offences, qualifications and employment history).

An impact assessment has been produced for these Regulations and is available, with the Explanatory Memorandum at <http://www.ialibrary.bis.gov.uk/>