

Register guidance: childcare provider on non-domestic or domestic premises

A childcare factsheet

The Childcare Act 2006 says childcare is 'any form of care for a child including education or any other supervised activity'.

Most childcare providers caring for children under eight years old must register with Ofsted unless the law says they do not need to.

We register childcare providers on the following two registers.

- The Early Years Register
- The Childcare Register

Introductory reading is in *Registering childcare providers from September 2008*, which is on our website (www.ofsted.gov.uk/publications/080043).

The Early Years Register

The Early Years Register is for childminders (see note 1 below) and childcare providers who care for babies and children aged from birth up to the 31 August following their fifth birthday. This is known as the early years age group.

Early years childcare on non-domestic premises

An early years childcare provider on non-domestic premises cares for children in the early years age group on premises that are not someone's home, and looks after at least one child for more than two hours in any one day. These premises can range from converted houses to purpose-built nurseries.

Schools

A school that directly provides care for its own pupils aged from three years and above **cannot** register as an early years childcare provider. However, if no child attending is a pupil of the school, the school must register.

A school **must** register as an early years childcare provider if it provides care for children under three years of age. If the school only accepts children who turn three in the term they start school, these children (known as 'rising threes') may be counted as age three for the purpose of registration.)

Early years childcare on domestic premises

An early years childcare provider on domestic premises works with three or more other people in a home to provide care for children in the early years group where at least one individual child attends for more than two hours in any one day. This may be the provider's own home or someone else's home, but is not usually the child's own home. You have to register if you are caring for the children of more than three families in one of the children's homes. This type of provider may either employ the other people as staff, or work in partnership with them.

The Childcare Register

The Childcare Register has two parts.

■ **Compulsory part**

If you want to provide care for children aged from the end of the early years age group (the 1 September following the child's fifth birthday) to under eight years, you must register with Ofsted on the compulsory part of the Childcare Register.

■ **Voluntary part**

If you want to:

- care for children aged from eight up to their 18th birthday
- provide short-term or temporary care, or
- provide activity-based services such as coaching or teaching

you can choose to register on the voluntary part of the Childcare Register.

Childcare on non-domestic premises

A childcare provider on non-domestic premises on the Childcare Register cares for children older than the early years age group, or provides services for which they don't have to register. (See our *Registration not required* leaflet:

www.ofsted.gov.uk/publications/080134.) Like early years childcare providers on non-domestic premises, they care for children in premises that are not a home, and normally care for at least one child for more than two hours a day. If you care for children for less than two hours a day immediately before or after the school day, you may still choose to register on the voluntary part of the Childcare Register.

Schools

A school can only apply to join the Childcare Register if it intends to offer care to children aged from the end of the early years age group (1 September following the child's fifth birthday) up to their 18th birthday who are not pupils of the school.

A school cannot apply to join the Childcare Register if it offers care where at least one child looked after is a pupil of the school.

Childcare on domestic premises

A childcare provider on domestic premises on the Childcare Register cares for children who are older than the early years age group, or provides services they don't have to register for, with three or more other people in a home where they care for at least one child for more than two hours a day. If you provide care for children for less than two hours a day immediately before or after school, you may still choose to register on the voluntary part of the Childcare Register.

More information from Ofsted

There is more information about registration on our website (www.ofsted.gov.uk/Ofsted-home/Forms-and-guidance/Browse-all-by/Care-and-local-services/Childcare). If you are not sure whether you have to register for childcare on domestic premises, please contact us on 08456 404040.

There is more information on the requirements for registration on the Early Years Register in the *Guide to registration on the Early Years Register: childcare providers on non-domestic or domestic premises* (www.ofsted.gov.uk/publications/080017) and on the Childcare Register in the *Guide to registration on the Childcare Register* (www.ofsted.gov.uk/publications/080032).

Some childcare providers don't need to register their services and you can find out about the circumstances where providers do not have to register in our childcare factsheet: *Registration not required* (www.ofsted.gov.uk/publications/080134). This is also part of the *Guide to registration on the Childcare Register* (www.ofsted.gov.uk/publications/080032).

The law that sets out our responsibilities is the Childcare Act 2006 and linked regulations. The specific order setting out exemptions from compulsory registration is the Childcare (Exemptions from Registration) Order 2008 (2008 No. 979) (www.opsi.gov.uk/si/si2008/uksi_20080979_en_1). The references to regulations and our policy on registration and inspection are included in our *Framework for the regulation of those on the Early Years and Childcare Registers* (www.ofsted.gov.uk/publications/080024).

Further information

Your local family information service (FIS) will help you. You can get their contact details from

www.familyinformationservices.org.uk/index.php?option=com_comprofiler&task=userslist&listid=7&Itemid=72, or from your telephone directory.

The Office for Standards in Education, Children's Services and Skills (Ofsted) regulates and inspects registered childcare and children's social care, including adoption and fostering agencies, residential schools, family centres and homes for children. It also inspects all state-maintained schools, non-association independent schools, pupil referral units, further education, initial teacher education, and publicly funded adult skills and employment-based training, the Children and Family Court Advisory Support Service (Cafcass), and the overall level of services for children in local authority areas.

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