

# Childcare Registration Requirements

## Consultation Response Form

The closing date for this consultation is: 4 July  
2007

Your comments must reach us by that date.

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**THIS FORM IS NOT INTERACTIVE. If you wish to respond electronically please use the online or offline response facility available on the Department for Education and Skills e-consultation website (<http://www.dfes.gov.uk/consultations>).**

The information you provide in your response will be subject to the Freedom of Information Act 2000 and Environmental Information Regulations, which allow public access to information held by the Department. This does not necessarily mean that your response can be made available to the public as there are exemptions relating to information provided in confidence and information to which the Data Protection Act 1998 applies. You may request confidentiality by ticking the box provided, but you should note that neither this, nor an automatically-generated e-mail confidentiality statement, will necessarily exclude the public right of access.

**Please tick if you want us to keep your response confidential.**

Name Jonathan Rallings  
Organisation (if applicable) The Pre-school Learning Alliance  
Address: The Fitzpatrick Building  
188 York Way  
London  
N7 9AD

If your enquiry is related to the policy content of the consultation you can contact Sally Thatcher on:

Telephone: 0207 273 1180

e-mail: [sally.thatcher@dfes.gsi.gov.uk](mailto:sally.thatcher@dfes.gsi.gov.uk)

If you have a query relating to the consultation process you can contact the Consultation Unit on:

Telephone: 01928 794888

Fax: 01928 794 311

e-mail: [consultation.unit@dfes.gsi.gov.uk](mailto:consultation.unit@dfes.gsi.gov.uk)

Please tick one of the boxes below that best describes you as a respondent.

<input type="checkbox"/> Creche	<input type="checkbox"/> Childminder	<input checked="" type="checkbox"/> National Organisation
<input type="checkbox"/> Other daycare provider	<input type="checkbox"/> Local Authority	<input type="checkbox"/> Before/after school or holiday scheme provider
<input type="checkbox"/> Nanny/Babysitter	<input type="checkbox"/> Parent	<input type="checkbox"/> Other (please give details below):

Please Specify:

The Pre-school-Learning Alliance is the largest voluntary sector provider of childcare in England. Through direct provision and its membership of 15,000 nurseries, sessional pre-schools and parent and toddler groups, the Alliance supports over 800,000 children and their families in the country. The Alliance also develops and runs training and accreditation and family learning programmes, offers information and advice, and campaigns to influence early years policy and practice.

The approach the Government is recommending means that many of the regulations for the new scheme of registration from 2008 will be based broadly on the existing requirements which are working well at present. There would be no significant changes to the regulations covering information to be supplied with applications for registration, the checks that Ofsted can carry out to corroborate the information, the details that would be included on registration certificates and the arrangements for suspension of registration.

1 Do you agree that these regulations form a sound basis for the new arrangements for registration by Ofsted?

Agree

Disagree

Not sure

Comments:

The Alliance believes that the regulations do provide a sound framework for registration.

However, we are slightly unsure why the consultation on exemptions from registration was launched before this consultation? It may have been more useful to establish registration requirements before deciding which settings should be exempted. We assume, though, that the respective teams at the department are already working closely and sharing information received from both consultations.

The Government proposes that the initial requirements for registration mean that Ofsted has to make an assessment of the applicant's suitability to provide childcare, the suitability of the manager and the suitability of the premises. In the case of early years provision, Ofsted will also need to be satisfied that the applicant will be able to meet the requirements of the Early Years Foundation Stage.

2 Do you agree that the requirements to be met before an applicant is registered by Ofsted and starts to operate as a childcare provider cover the right areas?

Agree

Disagree

Not sure

Comments:

The Alliance believes that the proposed requirements do cover the right areas. We are also pleased that they provide a measure of continuity with current arrangements – particularly that there is no requirement for all existing providers to re-register with Ofsted!

We would be happy to see either Option 1 or 2 (in the RIA) being implemented. However, we would urge that due consideration is given to the context of the childcare market in which greater or lesser stipulation is made with regard to registration requirements. As these requirements can act as a barrier to entry to the market, greater regulation may discourage some childcare providers from entering the market in the first place? However, the advantages of more prescriptive measures would hopefully –

- a) help to ensure better quality provision is established in the first place;
- b) allow more transparency in what is required before a prospective provider embarks on the laborious task of establishing provision;
- c) mean the Ofsted helpline and other sources of advice - such as the Alliance - will be more readily able to answer queries from providers about the registration process. Currently it is often only when providers receive their Ofsted pre-registration visit that issues are picked up. It would be more beneficial for everyone if requirements were met in the first place.

There may be some issues with regard to registering settings for the Voluntary Ofsted Childcare Register. If registration requirements are set too high it may discourage some providers from applying to be part of the register. However, if the requirements are too low it may impact on the quality of these settings – which in some cases, such as leisure centre or shopping centre crèches, may be used with greater frequency than regulators expect (as the Alliance feedback in its response to the exemptions consultation). On balance, the Alliance would err on the side of setting a higher level of requirements in line with the OCR. However, we would pose the question of what Ofsted are to do if they feel that a setting does not meet the requirements to be registered for the VCR? The setting will still be able to operate, but at a level of quality which Ofsted believes to be substandard. Will Ofsted publish information about such applications for parents to access?

The Partial Regulatory Impact Assessment which forms part of this consultation sets out an initial view of the costs and benefits of the Government's preferred approach to these regulations. Wherever possible the Government is seeking to minimise the cost to the private and voluntary sector of administration imposed by regulations. For childcare businesses this has to be balanced with the maintenance of necessary safeguards to children's safety and welfare.

3 Are there any aspects of the registration arrangements which could be changed to reduce the administration costs in respect of applicants for registration and registered providers?

Yes

No

Not Sure

Comments:

The Alliance and the vast majority of its membership support higher levels of regulation to ensure quality provision. With that in mind it is difficult to see how costs for applicants could be reduced by much without the risk of compromising quality. However, the Alliance applauds the idea of allowing some application information to be supplied online or through Post Offices. Not only would this help lessen some administration costs, it would also make registration more flexible and responsive, saving both applicants and Ofsted valuable time.

Thank you for taking the time to let us have your views. We do not intend to acknowledge individual responses unless you place an 'X' in the box below.

**Please acknowledge this reply**

Here at the Department for Education and Skills we carry out our research on many different topics and consultations. As your views are valuable to us, would it be alright if we were to contact you again from time to time either for research or to send through consultation documents?

Yes

No

All UK national public consultations are required to conform to the following standards:

1. Consult widely throughout the process, allowing a minimum of 12 weeks for written consultation at least once during the development of the policy.
2. Be clear about what your proposals are, who may be affected, what questions are being asked and the timescale for responses.
3. Ensure that your consultation is clear, concise and widely accessible.
4. Give feedback regarding the responses received and how the consultation process influenced the policy.
5. Monitor your department's effectiveness at consultation, including through the use of a designated consultation co-ordinator.
6. Ensure your consultation follows better regulation best practice, including carrying out a Regulatory Impact Assessment if appropriate.

Further information on the Code of Practice can be accessed through the Cabinet Office Website: <http://www.cabinetoffice.gov.uk/regulation/consultation-guidance/content/introduction/index.asp>

**Thank you for taking time to respond to this consultation.**

Completed questionnaires and other responses should be sent to the address shown below by 4 July 2007

Send by post to: address,

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Area 2B Caxton House  
6-12 Tothill Street  
London SW1H 9NA

Send by e-mail to: [eyrocr.consultation@dfes.gsi.gov.uk](mailto:eyrocr.consultation@dfes.gsi.gov.uk)