

SCA POLICY

Registration and Cancellation: Childminders

Version Control

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Introduction

Recent headlines have shown a decline in the number of childminders but in order to fulfil the government target regarding the 30 free hours of childcare, this trend needs to be reversed. We will aim to increase the number of people entering the childminding profession, by providing exceptional quality training and professional support to people interested in becoming Childminders.

Registering Childminders

Process

Following an expression of interest from a prospective childminder, an initial application form will be sent containing all relevant initial information including a signed consent to carry out background checks. This document also states the requirement for prospective SCA childminders to declare anything that may prevent them from caring for children.

Background Checks

Checks on prospective childminders will commence once the applicant has:

- Signed the initial application form confirming that they wish to register with the SCA
- Has given consent for checks to be carried out
- Has paid the administration fee

All applicants will be required to complete a DBS check for themselves and for anyone else over the age of sixteen living in the home or regularly visiting the home. DBS checks will be carried out by the umbrella organisation Atlantic Data. SCA will do the face-to-face identification.

Once SCA has received a DBS¹ the following checks take place:

Local Authority (LA) checks - The agency will obtain information from each local authority where the applicant has lived in for the past five years to ensure there are no issues which may prevent them from caring for children.

SCA will carry out a check with Ofsted to find out whether the prospective childminder has previously been known to Ofsted. If an applicant, or anyone associated with their application is disqualified from registration then SCA will not be able to register them and they will be referred to Ofsted where the individual may be able to apply to have their disqualification waived.

SCA may also need to carry out further checks to ensure suitability, e.g. checks with any agency that a childminder has been registered with previously. If a childminder or anyone else connected with the application has been in military service then a check will be run with SSAFA (Soldiers, Sailors, Airmen and Families Association) who will contact the appropriate services for information held that may impact on an applicant's ability to childmind. (Similar information to that of LA children's services department). If a prospective childminder is not a British Citizen and has lived in the UK for less than five years, SCA will request that the applicant obtain a good conduct letter from

¹ If the DBS is not clear, the SCA will request a statement from the applicant and will make a decision based on the information given.

the appropriate Embassy. If the applicant is unable to obtain this letter then the agency will require alternative references and evidence of the right to work in the UK before they make a decision as to whether the applicant can be registered. The SCA's decision will be final in this matter.

Health

All applicants (and any assistants) will complete a health declaration form, provided by the agency, which they will take to their GP for completion.

Suitable Person Interview

Once all checks have been completed and the prospective childminder criteria has been met, then the applicant is invited to meet with a member of the SCA team for a Suitable Person Interview. Assuming successful completion, the applicant is signposted to the relevant training as required.

(Since the Covid-19 pandemic, suitable person interviews have taken place via online video communication and followed up with a visit to the premises, in accordance with government guidelines. In cases, where the candidate is not deemed suitable during the initial online interview, their application will cease and a follow up visit will not be necessary.)

Training

All prospective childminders wishing to register with the agency will need to complete specific training prior to being accepted as a member of SCA (unless this training is up-to-date). The minimum requirement is for:

- Early Years Foundation Stage (EYFS)
- Paediatric First Aid Level 3
- Introduction to Safeguarding
- Food Hygiene Level 2 (this enables the childminder to cook and serve food)

Applicants will have access to our in-house training. Additional training options are available through SCA's links with training providers, such as Local Authorities, Hit Training, Morton Michel, and further education providers.

An applicant's suitability to deliver all the requirements of the EYFS will be assessed initially following the completion of all SCA mandatory training. Further assessment will be carried out at the pre-registration visit, the process for which is detailed below.

Pre-Registration Visit

This is carried out to assess the suitability of the environment and to ensure that the childminder is able to deliver all the requirements of the EYFS. Prior to the pre-registration visit, the prospective childminder will be sent a risk assessment document to use to carry out a risk assessment on the home and any outside space. During the visit SCA will:

- Carry out a health and safety check on the home, based on the prospective childminder's risk assessment
- Ensure that the prospective childminder has the appropriate resources and equipment in place in order to care for children effectively
- Ask a series of questions about the EYFS and Safeguarding to ensure that the prospective childminder's knowledge is secure

- Discuss required insurances (the SCA has an agreement with Morton Michel to offer childminders discounted insurance), data protection, self-employment documentation and other relevant issues
- Look at the safeguarding folder and noticeboard

If there are any issues concerning the safety of the environment, the availability of resources or the applicant's knowledge of the EYFS then registration will not be granted. The applicant will be provided with an action plan with agreed actions to be completed prior to registration.

Decision Making

SCA (via a suitability panel) will decide whether to register a childminder based on information from the:

- Pre-registration checks
- Pre-registration visit
- The training that the childminder has undertaken

If any concerns arise around an applicant's suitability, then the SCA will refuse registration. If the agency makes a decision not to register a childminder then this decision cannot be appealed, and the prospective childminder may wish to seek registration with another agency or with Ofsted.

SCA anticipates that most childminders registering will wish to care for children in the early year's age group as well as older children, hence we will register on both the Early Years Register and the General Childcare Register. The requirements for registration on the General Childcare Register are similar to those applicable to registration on the Early Years Register, with the main difference being that applicants do not have to have completed training in the EYFS. SCA will ensure that applicants for registration have made a declaration that they meet, or will meet when starting to care for children, all the requirements of the Early Years Register and/or the General Childcare Register.

An applicant will only be registered if:

- All checks are satisfactory
- All necessary training has been completed
- Their knowledge of the EYFS is secure

Once these procedures are satisfactorily completed the childminder will receive a certificate of registration to display within their premises stating that they are registered to deliver childcare. Further to this they will receive a minimum of 1 visit in their first year of registration one of which will be a full Quality Assurance inspection.

Cancellation or Suspension of registration

SCA policies and procedures for taking enforcement action are detailed below and are referred to in two separate sections:

1. Cancellation of registration
2. Suspension of registration

Cancellation of a childminder's registration

The Childcare (Childminder Agencies) (Cancellation etc) Regulations 2014 state that the agency must cancel the registration of a person registered on the Early Years Register or the General Childcare register if it

appears to the agency that the person has become disqualified from registration by regulations under section 75 of the Childcare Act 2006. The Childcare (Disqualification) Regulations 2009 set out the grounds of which childminders are disqualified from registration.

In addition, SCA will cancel the registration of a person registered in the Early Years Register or the General Childcare Register on other grounds, for example if it appears to SCA that the registration requirements have ceased to be satisfied or that the childminder has failed to comply with any other requirement imposed by regulations under the relevant chapter of the *Childcare Act 2006*.

The agency also reserves the right to cancel the registration of a childminder on business grounds, i.e. if the agency no longer wishes to operate in a particular geographical area or if it needs to rebalance the number of childminders on its register but, in all cases, the procedures set out in these regulations must be followed.

Procedure for cancellation of registration

Where SCA proposes to cancel a childminders registration, the childminder will be given written notice. The notice of intention will state the reasons for the proposed cancellation and the notice period (if any) that will be offered to the childminder.

The notice period for cancellation of a childminder's registration will be dependent on the circumstances under which the cancellation is required.

If the cancellation of registration is for business reasons, then the childminder will be given 28 days' notice of cancellation.

If a childminder fails to comply with welfare requirements, an action plan with specified timescales will be agreed to enable the childminder to comply with the requirements. If these timescales are not met, then a notice of intention to cancel registration will be given and the childminder will have a further 14 days to comply with requirements. If they do not comply within this timeframe, the registration will be cancelled with immediate effect following the 14-day notice period.

If it becomes apparent to the agency that a childminder registered with the agency has become disqualified from registration by regulations under section 75 of the *Childcare Act 2006*, then cancellation will happen with immediate effect.

Written notice of cancellation will be given to the childminder and SCA will be obliged to inform Ofsted, or any other agency that the childminder chooses to apply to register with, of the details of the cancellation of that person's registration.

Termination of Registration by a Childminder

A childminder may give notice to SCA if they wish to terminate registration with the agency for whatever reason.

A childminder who wishes to terminate their registration must inform the agency in writing and must give 28 days' notice of termination. Any fees owed must be paid to the agency before the end of the notice period along with any overpaid grant funding.

The agency will be obliged to inform Ofsted, or any other agency that the childminder chooses to apply to register with, of the childminder's previous registration with the agency and any appropriate information pertaining to the registration.

Suspension of a childminder's registration

The Childcare (Childminder Agencies) (Cancellation etc.) Regulations 2014 set out when and how a childminder agency may suspend a childminder's registration with that agency. In keeping with action which the Chief Inspector can bring against providers registered with Ofsted, the only ground for suspension is reasonable belief of 'risk of harm' to a child. This need not necessarily be direct harm caused by the action of a childminder and could instead include an inaction by a childminder which creates a risk of harm through an unsafe practice or part of the provider's premises.

Procedure for suspension of registration

If there is reasonable belief of 'risk of harm' to a child, SCA will follow the procedures of the Local Safeguarding Children Partnership (LSCP) procedures in the event of an allegation which may involve suspension and will take advice from the Local Authority Designated Officer (LADO).

The suspension may take effect immediately. The agency will also provide written notice to the childminder following the suspension of their registration. Parents of children attending the childminders setting will be informed of their childminder's suspension.

As regulations set out, a childminder must not practice whilst they are suspended. The SCA is responsible for ensuring that any childminder who has been suspended by the agency does not care for children during the period of suspension. Regulations are clear that a provider who does provide childminding whilst suspended commits an offence which may ultimately result in a prosecution and, if found guilty, the provider may be fined.

SCA will co-operate with any investigations that need to be carried out by the appropriate authorities during a period of suspension. If the childminder resigns before the investigation is complete SCA will inform them in writing that the investigation will continue despite their resignation. If at any time during the period of suspension it appears that the circumstances no longer exist, the agency will lift the suspension.

In the most serious cases, an agency may need to cancel a childminder's registration following a period of suspension and will follow the cancellation procedures as set out in the policy for cancellation of a childminder's registration.

Suspension of the registration of a childminder carries an immediate loss of livelihood and it is important that agency decisions in this area are checked by an independent body – as is the case when Ofsted suspends a provider. The childminders may exercise their right to appeal to a suspension by appealing to the Tribunal (Health, Education and Social Care Chamber).

The agency will be obliged to inform Ofsted, or any other agency that the childminder chooses to apply to register with, of the childminder's previous registration with the agency and any appropriate information relating to the registration.

Signed on behalf of Suffolk Childcare Agency

Dated

Print Name

Review Date