



## **CHILDREN AND FAMILIES (WALES) MEASURE 2010**

### **Application to Register as a Child Minder Guidance for Applicants**

[Mae'r fflurflen hwn hefyd ar gael yn Gymraeg](#)/This document is also available in Welsh

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## **Introduction**

### **Definition of a child minder**

A child minder is a person who looks after one or more children under the age of 12 years on domestic premises for reward.

### **The requirement to register**

The law requires persons wishing to become a child minder to be registered. The exceptions to this are as follows:

- If the total period of care in any one day does not exceed two hours.
- If the care provider is a parent, foster parent or relative of the child.
- If care is provided by a person employed directly by the parents of up to two families (such as a nanny or au pair) and the children are cared for in the home of either family.
- If the period during which the child is cared for is between 6pm on any one day and 2am the following day.
- If friends care for each other's children and no payment (whether money or money's worth) is made for the service.

## **Care Inspectorate Wales (CIW)**

### **Who we are and what we do:**

In Wales, child minding and the provision of day care for children under the age of 12 years are regulated by CIW on behalf of the Welsh Ministers.

CIW encourages the improvement of social care, early years and social services by regulating, inspecting and reviewing services and providing professional advice. We aim to raise standards, improve quality, promote best practice and inform people about social care.

### **A person can only be registered as a child minder if:**

- the applicant, and every other person looking after children on any premises where they are likely to be child minding, are suitable to look after children under the age of 12 years.
- the place where they will mind children is suitable and safe.
- the applicant and any other person living or working in the same household is not disqualified from registration.
- the applicant has the knowledge and resources needed to provide a good quality of service.
- it appears to CIW that all the requirements in the Child Minding and Day Care (Wales) Regulations 2010 and The Child Minding and Day Care (Wales) (Amendment) Regulations 2016 for registration are satisfied and are likely to continue to be satisfied.

# How to become a registered child minder

## 1. Availability of application to register forms

Application forms are available from our website [www.careinspectorate.wales](http://www.careinspectorate.wales)

If you are unable to access the web site copies can be made available by calling the number below:

**0300 790 0126**

## 2. The legislation that underpins the registration of child minders

Before completing your application you must familiarise yourself with the legislation below:

- Part 2 of the Children and Families (Wales) Measure 2010
- The Child Minding and Day Care (Wales) Regulations 2010
- The Child Minding and Day Care (Disqualification) (Wales) Regulations 2010
- The Child Minding and Day Care (Wales)(Amendment) Regulations 2016
- National Minimum Standards for Regulated Child Care

## 3. Pre-registration training course

Before submitting your application you must have successfully completed the approved pre-registration training course. The training course will support you through the application process, providing additional contact with your local Professional Association for Childcare and Early Years (PACEY) representative and/or Local Authority Early Years Partnership development worker. You will also be given information about start up grants available to you in your area. For more information you should contact the Family Information Service on **0300 123 7777**.

## 4. Completing the application form

The application form to register as a child minder is available from our web site [www.careinspectorate.wales](http://www.careinspectorate.wales).

If you are using the electronic version please save to your computer and type in the relevant information. Then print out the medical declaration form, sign where indicated and ask your GP to complete the Medical Reference. Finally, attach additional documentation and submit to CIW in accordance with the guidance below.

### The application form is divided into two distinct parts:

- **Part 1** requests information about you, the care you want to provide, your premises and the people who work and live in your household.
- **Part 2** requests information that will evidence your understanding of the principles and requirements in the regulations (The Child Minding and Day Care (Wales) Regulations 2010), and the National Minimum Standards for Regulated Child Care (NMS). Copies of these are available on the CIW web site (details above).

- **First aid certificate.** You will need to obtain and maintain a current qualification in first aid for infants and young children. You will be required to include a copy of your current certificate along with your application.
- **Medical reference:** You are required to obtain a medical reference from your GP which must comment on your physical and mental fitness to be a child minder. Medical information provided should also include information about any existing condition or anything for which you are being treated at the moment by your GP or by any hospital. **You must submit this reference with your application.** (Your GP may charge you for this service.) If you are unable to obtain this reference you must explain why and submit instead a signed statement about your physical and mental fitness to be a child minder.

**Disclosure and Barring Service (DBS):** You, any assistant you intend to employ and every person living and/or working in your household who has reached the age of 16 years and who will have contact with the children you intend to mind, must each complete an enhanced DBS disclosure application form. Everyone who completes a DBS check must disclose every conviction, caution, conditional discharge or any other result of appearing in court.

You are required to present your current DBS certificate (ie.no older than three months since date of issue) to support your application. Your DBS certificate must be the original certificate and no more than three months old since the date of issue.

Where possible you should obtain one via your employer or umbrella body. Where this is not possible you may contact Care Inspectorate Wales on **0300 7900 126** and an advisor will give you details about how to do this.

**Important:** From April 1 2018 all applicants will be required to meet the cost of their DBS application.

[Guidance for Applicants](#) is available and this will provide you with step-by-step guidance on completing your form.

**Important:** As a child minder you, any member of your household aged 16 and over and any assistant you employ must renew your DBS certificate every three years. The best way to do this is to register with the DBS Update Service

**DBS Update Service:** For an annual subscription you can have your DBS Certificate kept up-to-date and take it with you from job to job within the same workforce area and where the same type and level of check is required. The benefits to you include:

- It can save you time compared with having to repeatedly renew your certificate.
- You can take your certificate from job to job within the same workforce area.

- You are in control of your DBS certificate.

[Further information](#) on the Disclosure and Barring Update Service is also available.

**If you already subscribe to the Update Service** and have an enhanced DBS certificate that relates to the [workforce area](#) you are applying for and where the same level of check is required, then CIW will accept your certificate. Those who are registered with the DBS Update Service will be required to present their DBS certificate to CIW and give permission to allow CIW access to carry out a status check on their DBS certificate via the Update Service. The DBS guidance on our website [www.careinspectorate.wales](http://www.careinspectorate.wales) will tell you how to do this.

- **Consent form authorising CIW to contact Local Authority Social Services Departments.** In addition to the DBS check CIW will also carry out a check with social services to validate information that you have provided and to ensure that you are not disqualified from registration. This form should also be completed by any assistant you intend to employ and every person living or working in your household who is over 16, and who will have contact with the children you intend to mind. A copy of this form is attached to your application form as Appendix 2. You may photocopy this form; ask for additional copies from CIW or download from our website [www.careinspectorate.wales](http://www.careinspectorate.wales).
- **A fire safety checklist** is attached to the application form as Appendix 3 which is to be submitted with your application. Completion of this document will help you to assess the fire safety arrangements in your home and will inform CIW's assessment of your premises. Additional fire safety guidance is included below. Based on the information you provide, CIW will decide if a fire officer should be consulted or requested to visit your home.
- **Information about planning consent.** Registered child minders do not usually require planning consent but there may be some requirements placed on your business by your Local Planning Authority (LPA). You should seek the advice of your LPA in advance of your application for registration as a child minder.
- **Working as a food business operator.** You will need to register with your local authority environmental health department. Further information about how to register and contact your local authority environmental health department (including a model registration form) is available on the "Enforcement Essentials" pages of the Food Standards website at [www.food.gov.uk](http://www.food.gov.uk)
- **Certificate of insurance:** a registered child minder must have a certificate of insurance in respect of liability which may be incurred by them in respect of death, injury, public liability, damage or other loss occurring in relation to their child minding. You do not need to submit this with your application but it will be required before registration can be approved. The inspector will discuss this with you at your home visit.

## **5. Submitting your application**

When you have completed the application form in full you should bring your application to your local regional CIW office. There is a checklist at the end of the form to make sure you have included all the required information for your application to be accepted by CIW.

CIW cannot accept incomplete applications. If your application is incomplete or you bring supporting documentation that is incorrect, you will be asked to resubmit or return with the correct documentation.

## **6. Employing an assistant**

If you intend employing an assistant you must complete section 3B of the application form. You must be satisfied that they are suitable to work with children. You are also responsible for supervising your assistants. You must keep a file of the assistant's details and a record of the hours and dates your assistant works for you.

If you employ an assistant you should inform the Inland Revenue of this arrangement.

## Processing your application

**Inspectors will use the legislation listed on page 3 to determine your application.**

### **1. How CIW will handle your information**

We process any personal and/or sensitive information we hold about you fairly and lawfully, and we only ask for such information where it is necessary for us to carry out our role. For more information about how we process your personal data, and your rights in relation to this, please see our Privacy Notice at <https://careinspectorate.wales/how-we-use-your-information> or contact us for a paper copy.

### **2. Checks undertaken by CIW**

CIW is required to undertake a number of checks to evidence your suitability to become a child minder. We will:

- make checks on your identity.
- view your original DBS certificate.
- check on your physical and emotional health.
- take up at least two references for you, one of which should be from your last employer; we may contact your referees directly to validate the references or seek further information.
- check your record of work since leaving school. This will include any periods of study, unpaid work and any qualifications undertaken and any gaps in your work record.
- check with previous employers, as necessary, to establish what relevant skills and experience you have.
- check our own records to see if you have ever had registration in relation to a children's home, child minding or the provision of day care refused or cancelled. We may also carry out checks with other regulators.
- assess the suitability of your statement of purpose and your policies and procedures.

### **3. What happens if there is a criminal background?**

Where an applicant's DBS certificate contains relevant information, we will contact the individual concerned, in confidence, to discuss any disclosures. In these cases we will confirm the details of the DBS declaration with the individual. We will then consider the information and its impact on the application. This may be that the information disqualifies the applicant from minding (unless CIW grants a specific waiver), or it may mean CIW consider granting registration subject to specific conditions restricting a person's contact with the children to be minded, or it may mean the application is refused. In deciding what action to take, CIW will take account of the nature of the information itself and full details of the relevant circumstances.



Please note it is an offence to knowingly make a statement in an application which is false or misleading. Failure to fully and accurately complete an application may also result in the application being refused or subsequently cancelled.

#### **4. The home visit and interview**

When all the checks for yourself and other relevant persons are complete, you will be contacted by an inspector to arrange a suitable time to visit your home for an interview and premises inspection.

The inspector will check to see that you have sufficient control over the premises to sustain your service there and maintain the safety of the children you care for both inside and outside the premises.

To do this the inspector will:

- look at the evidence you provide in your application and listen to what you tell us at your home inspection to make a decision about your ability to understand and meet the Regulations and maintain standards.
- ensure you understand your responsibilities as a registered child minder.
- look at how you intend to assess and introduce children into your care, and the activities and experiences you intend to provide for them.
- evaluate how you will promote and make proper provision for the welfare of the children you mind.
- look at how you intend to select and assess any assistants you may want to employ, check the records you must keep about them and how you will supervise their work.
- ask how you will manage, monitor and develop the quality of your service and how you will involve parents and children in that process.
- check the suitability of the premises and outdoor spaces where child minding is to be provided, identifying any hazards and ensuring suitable safety measures are in place.
- ensure that the building, the services supplied and the appliances used are regularly inspected and maintained.
- check that you have followed, or are committed to following, the advice provided in the fire safety guidance.
- check that your arrangements for providing first aid are satisfactory and that your plans for responding to an emergency are well thought out.
- consider how you intend to securely store your records.

The inspector will calculate and agree with you how many children you will be able to mind.

#### **5. Being approved to child mind**

When CIW has written confirmation from you that any matters identified at the home visit have been resolved, your application will be presented to a CIW Registration and Enforcement Team Manager and/or Deputy Manager for a decision on registration. If

you are approved, a certificate of registration will be issued to you and you can start working as a registered child minder. **Important: it is illegal to operate as a child minder if you are not registered with CIW.**

If the intention is to refuse your application, you will be issued with a Notice of Intention to Refuse Registration in respect of which you have 28 days to make any oral or written objections before a decision is finally made.

If you choose not to make any objections or, after consideration of any objections you make, CIW decide to refuse to grant you registration, you will be issued with a Notice of Decision to Refuse Registration. The law provides a 3 month period within which you may appeal to the First-tier Tribunal against such a decision notice.

## 6. Staying registered

You **must at all times** work within the conditions set out on your certificate. If anything changes, for example someone comes to live with you, you decide to employ an assistant, someone in your household is convicted of an offence, or you want to change the number of children you can mind, then you must tell CIW. A notification form has been developed by CIW to assist you in this. Copies are available on our web site [www.careinspectorate.wales](http://www.careinspectorate.wales) or directly from your CIW regional office. If in doubt, please talk to an inspector at a CIW office.

**Important:** As a child minder you, any member of your household aged 16 and over and any assistant you employ must renew your DBS certificate every three years.

### Have you considered subscribing to the DBS Update service?

For an annual subscription you can have your DBS Certificate kept up-to-date and take it with you from job to job within the same workforce area and where the same type and level of check is required. The benefits to you are:

- You are in control of your DBS certificate
- It can save you time and money compared with having to repeatedly renew your certificate.
- You can find further information on the Update Service by looking on the Disclosure and Barring Update Service website

## 7. Quality assurance

You will need to establish a system for monitoring, reviewing and improving the quality of care you give to children and how you intend to improve your service each year. This review must be done annually and you must prepare a report. (Regulation 16)

## 8. Inspections

All CIW inspections of your child minding service will be unannounced.

## **Fire safety recommendations for child minders**

Child minding in private dwellings does not normally present a high risk to life from fire and it is important that a homely and non-institutional environment is maintained. Fire protection for any kind of dwelling is most effective and reliable when it is relatively easy to operate and maintain.

**It is important that child minders make a plan about what they should do in case of a fire.**

The most effective standard of safety will be achieved by ensuring that child minders follow sensible precautions such as:

- fitting smoke alarms and providing a fire blanket .
- adopting good fire safety practices in the use of heating and cooking appliances
- ensuring that means of escape are available and unobstructed.

**It is also important that the number of children minded is kept within the conditions of registration to ensure safe escape from fire.**

### **Means of Escape**

The 'means of escape' from a one or two storey dwelling is simple. Little more is needed than making sure that each room likely to be used for child minding either opens directly onto a hallway or stair leading to the entrance and smoke detectors are in place and maintained.

Where there is a basement which contains a room that is to be used for child minding there should be an alternative escape route.

The provision of child minding facilities on floors above the first floor is discouraged unless the stairway is protected and adequate smoke-detection is provided. Where there are floors 7.5m above ground level, an alternative means of escape is required. Newly constructed dwelling houses above two storeys should automatically comply since they will have been subject to the appropriate standard.

Where premises reasonably meet the recommendations of BS 5588: Part 1: 1990 - Section 2 -Single Family Dwelling Houses and/or Section 2 -Flats and Maisonettes - there should be no reason to restrict the use of any part of the premises for child minding. However, a greater degree of supervision will be required where activities take place in areas of higher risk, such as the kitchen.

Escape through windows is not considered to be an appropriate means of escape.

### **Smoke Alarms**

Domestic smoke alarms should conform to an appropriate standard, ie BS 5466: Part 1 and should cover all areas used for child minding. There should be at least one on

each floor. Consideration should be given to the provision of detectors that do not have a removable battery. If more than one smoke detector is required in the premises, they should be connected together so that they all operate their warning sound if any detector operates. This will be necessary if the building is of such a size and design that the operation of any one detector may not give sufficient warning throughout the premises.

Consideration should be given to installing a fire alarm system conforming to BS5839 Pt6 grade D, E or F.

Smoke alarms must be regularly maintained in accordance with manufacturers' instructions. They should be tested weekly.

### **Fire fighting equipment**

The provision of a lightweight fire blanket conforming to the current British/European Standard will always be required.

### **Heating**

Portable heaters are not regarded as providing a safe form of heating for child minding activities and their use is discouraged. Where use of a portable heater is unavoidable, (e.g. power cuts) specific recommendations should be sought from the Fire Authority. Whatever method is chosen, it should be enclosed in an adequate guard and secured in position.

Solid fuel fires and heating appliances other than low pressure hot water radiators should be enclosed by an adequate guard and secured in position. No part of the guard should be closer than 200mm from the heat source otherwise the guard will be dangerously hot.

### **Cooking**

Children should not generally be in the kitchen area unless they are well supervised and constantly monitored. There should be no deep fat frying carried out during the time that the children are using this area. Matches should not be used for lighting gas cookers (see smoking materials), and chip pans should be replaced by thermostatically controlled deep fat fryers.

### **Smoking materials**

Smoking materials hold a fascination for most children and can lead them to imitate adults or play with cigarette lighters or matches. Cigarettes, lighters and matches must always be kept out of sight, out of reach and preferably in a locked cabinet. Smoking must not take place while caring for minded children.

### **Foam filled furniture**

All foam filled furniture should conform to the current standard and bear a label indicating that it is fire retardant. Foam not bearing a label is unlikely to be fire

retardant and can be easily set on fire. It will give off very toxic fumes and burn very rapidly. Furniture with damaged covers should be repaired or the furniture removed from the child minding areas.

### **Electrical wiring**

Although it is considered excessive for a premises electrical system to be examined by a competent person, there should be no obvious defects in the electrical wiring system. Sockets and switches should be securely fixed on the wall and sockets should be of a safety pattern. Flex to electrical appliances should not run under carpets. Multiple adaptors should not be overloaded. The use of Residual Current Devices is encouraged and fuses should be correctly rated for the appliance in use:

- up to 720 watts            - 3 amp fuse
- 720 -1200 watts         - 5 amp fuse
- 1200 -3120 watts       - 13 amp fuse

**Remember that the care and/or evacuation of the children is the main priority.**

This advice is without prejudice to any requirements of other enforcing authorities exercising their statutory powers.