

The Approval of Home Childcare Providers (Wales) Scheme - Approval Guidance

How nannies will be approved under the new scheme.

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Introduction

The purpose of approval

This is a voluntary scheme but it will enable approved nannies to prove to potential employers that they have met the criteria of the Approval Scheme and will enable employers to access financial support should they be eligible, which should make approved nannies more employable.

The Approval of Home Childcare Providers (Wales) Scheme 2021 only applies to Wales although if a nanny lives in England or Scotland and looks after children in Wales they can apply to become an approved home childcare provider.

Glossary of terms

We have used the following terminology frequently throughout this guidance:

The Approval Scheme

The Approval of Home Childcare Providers (Wales) Scheme 2021.

The approval body

Refers to Care Inspectorate Wales who are appointed by the Welsh Ministers to administer the scheme.

Nanny/home childcare provider

This means a person who provides or intends to provide qualifying childcare, ie a person who is employed:

- to look after a child or sibling group for parents (the first parents), or
- to look after a second child or sibling group for parents (the second parents) in addition to the children looked after by the first parents, and looks after children concerned wholly or mainly in the first or second parents' own home or homes.

If more than 2 families use the care at the same time, then the care falls into the category of "childminding" and childminders need to be registered with Care Inspectorate Wales.

A nanny/home childcare provider can operate on an employed or self-employed basis.

Parent

Includes any person who:

- a) has parental responsibility for a child, within the meaning given in section 3 of the Children Act 1989.
- b) has been approved as a foster parent, within the meaning given in regulation 2 of the Regulated Fostering Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019.
- c) fosters a child privately, within the meaning given in section 66 of the Children Act 1989.

Child

This means a person under the age of 16, but a person who attains the age of 16 remains a child from the date on which he attained that age until immediately before 1 September which follows that date.

Relevant first aid certificate

Means a certificate in respect of a course of first aid training:

- a. which is suitable to the care of babies and children
- b. which includes training in the following areas:
 - i. dealing with emergencies
 - ii. resuscitation
 - iii. choking
 - iv. shock
 - v. anaphylactic shock
- c. which has been undertaken by the applicant not more than three years before the date upon which the application for approval is made.

Criteria for approval

The criteria set out in the Approval of Home Childcare Providers (Wales) Scheme 2021 legislation requires that the applicant:

- is over 18 years of age
- holds a current paediatric first aid certificate
- has public liability insurance which covers death, injury, damage or other loss
- has undergone an enhanced DBS (Disclosure and Barring Service) check
- has a qualification on the Social Care Wales [List of Required Qualifications to work within the Early Years and Childcare Sector \(https://socialcare.wales/qualifications-funding/qualification-framework\)](https://socialcare.wales/qualifications-funding/qualification-framework) (External link)

- is not barred from a regulated activity relating to children or be considered otherwise unsuitable to work with or have unsupervised access to children

In order for CIW to approve your application all of the criteria must be met. If you haven't submitted all of the above, then we will contact you to discuss the outstanding items.

Making an application

All applications for approval must be made to Care Inspectorate Wales.

The Approval of Home Childcare Providers (Wales) Scheme 2021 **Application form can be accessed on our website (<https://www.careinspectorate.wales/providing-a-care-service/voluntary-approval-scheme>).**

Completed application must be emailed to ciw@gov.wales (<mailto:ciw@gov.wales>)

Or submitted by post to:
Childcare Approval Scheme
Care Inspectorate Wales
Government Offices
Rhydycar Business Park
Merthyr Tydfil
CF48 1UZ

If an application is submitted via email you must attach scanned images of qualification certificates.

If an application is submitted by post qualification certificates must be included so that CIW can assess your eligibility.

Application Form

The application form has six sections (A-F):

Section A – Your personal details

This includes your name, date of birth, contact details, National Insurance Number and preferred language of communication.

Section B – Childcare Qualifications and First Aid Training

The applicant is required to have:

- a qualification on the Social Care Wales List of Required Qualifications to work as a Home Childcare Provider
- a current paediatric first aid certificate which has been undertaken by the applicant not more than three years prior to the date when the application for approval is made. It must be suitable for the care of babies and children and contain, as a minimum the following areas: dealing with emergencies, resuscitation, choking, shock and anaphylactic shock in babies and children.

Information about training opportunities, and any local funding support which may be available to undertake qualifications, can be accessed via these organisations:

- **Social Care Wales (<https://socialcare.wales/>)** (External link)
- **Local Authority Family Information Services (<http://www.childcareinformation.wales/>)** (External link)
- **PACEY Cymru (<https://www.pacey.org.uk/partners/pacey-in-wales/>)** (External link)

Section C – Disclosure and Barring Service

The applicant should hold an enhanced Disclosure and Barring Service (DBS) check that has been checked against the children’s barred list.

A DBS check is a document containing information held by the police and government departments and can be used by employers and voluntary organisations to make safer recruitment decisions. Disclosures are provided by the DBS, an executive agency of the Home Office.

The DBS check is necessary for those regularly caring for, training, supervising or being in sole charge of children or vulnerable adults and contains details of all convictions on record including spent convictions, plus details of any cautions, reprimands or warnings. It also involves an extra level of checking with local police force records in addition to checks with the Police National Computer (PNC) and the government department lists of those who are legally barred from working with children.

Rehabilitation of Offenders Act 1974

Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended) says that, for most purposes, and after a fixed time, people no longer have to declare their convictions

You should note however, that this application does not include a requirement to disclose offences. Disclosure and Barring Service checks will ensure that all relevant offences are included in the certificate issued by DBS. Further information on the filtering out of old and minor offences is available from the Disclosure and Barring Service.

Section D - Data Protection

CIW process any personal and/or sensitive information held about applicants fairly and lawfully, and only ask for such information where it is necessary to carry out our role.

For more information about how CIW process applicant's personal data, and applicant's rights in relation to this, please see CIW's [Privacy Notice \(https://www.careinspectorate.wales/privacy-notice-html\)](https://www.careinspectorate.wales/privacy-notice-html).

Section E - Public Liability Insurance

CIW need to have sight of an applicant's public liability insurance certificate before their application can be approved.

You can either include a copy of it as part of an application or submit it to CIW prior to approval. CIW can let you know when this will be.

Section F - Validation of information

If the applicant does not have a current enhanced DBS Certificate, CIW will contact the applicant to arrange setting up an account via CIW's online provider Vibrant Nation to obtain this. As part of this process the applicant will be required to have their identification documents verified.

DBS Update Service

If the applicant is registered with this service they will need to show CIW their original enhanced DBS certificate and provide CIW with consent to carry out a status check on their certificate through the Update Service.

The applicant must complete a declaration that all the information given is true and that they understand that any false or misleading information may result in their application for approval being rejected.

When the applicant has completed their application and it has been checked to confirm that all the required criteria are met, CIW will take payment.

A member of the registration team will contact the applicant to take payment via Credit or Debit Card.

Assessing an application

Once the application has been accepted we carry out a quality assessment.

Factors for determination

When determining an application we will consider the following:

- Does the application form contain all of the required information?
- Are we satisfied that the applicant has met the requirements to be approved?

Does the application contain all the required information?

Our initial completeness check will ensure that the application form contains all of the required information. If we find that the information or documentation that has been provided is not sufficiently detailed we will ask for supplementary information.

Are we satisfied that the applicant has met the requirements to be approved?

When making any decision about the approval of a nanny we must be satisfied that they meet the requirements to be approved.

Part 2, 6 (1,) (2)(a)-(f) and (7)(a)-(f) of The Approval of Home Childcare Providers (Wales) Scheme 2021 sets out the approval system and approval criteria, including matters with regard to the applicant which may result in refusal of an application.

When considering any information that we receive from contacts with other authorities or regulators we will take account of issues such as:

- a. the nature and seriousness of any offence event(s)
- b. harm caused to any child/ person, or any evidence of an intent to cause harm when the offence occurred
- c. any action taken by the person to remedy the matter

CIW will consider whether any further action is required. This may include requesting further details in writing or holding an interview, in order to establish whether the disclosure is likely to have an impact on the applicant's suitability to be approved.

Approval of an application

In reaching our determination decision, CIW will be reasonable and proportionate in the information we request and only ask for additional evidence when it is necessary to assist us in our decision making.

We will endeavour to determine applications for approval in as timely a manner as possible. If we require any additional information or where there are specific issues that need to be resolved, it may extend the time it takes us to process the application.

If CIW are satisfied that the applicant has met all of the requirements of the Approval Scheme then they will become an approved nanny. Each approved home childcare provider will be given an Approval letter with their name, period of validity and a unique identity number. This Approval letter can be used to evidence to employers that you are approved.

Approval as a home childcare provider lasts for 12 months.

Renewing an application

CIW require home childcare providers to reapply for approval at least 42 days in advance of the expiry of their approval. For parents to retain continuous entitlement to tax credits / Universal Benefit / employer childcare vouchers, it is necessary for their nanny to remain approved. Those who reapply following this timescale will be more likely to achieve a seamless renewal starting from the date their old approval expires.

Nannies will need to apply for approval each year and must:

- provide a relevant first aid certificate to the approval body
- have obtained one of the qualifications specified in a list maintained by the approval body
- provide an enhanced criminal records certificate or application for that certificate to the approval body
- have public liability insurance which covers death, injury, damage or other loss
- not be barred from a regulated activity relating to children or be considered otherwise unsuitable to work with or have unsupervised access to children pay the fee incurred in processing the application to the approval body

If an applicant has an enhanced DBS certificate for the correct workforce area and is already subscribed to the Update Service, then they will not need to also undertake a new DBS every 3 years.

Refusal of an application

If CIW proposes to refuse an application for approval or renewal, or to withdraw an approval granted under the Approval Scheme, it will provide the applicant or the approved home childcare provider with written notice of its proposal.

This notice will contain the reasons why refusal or withdrawal of approval is proposed, and information about how representations may be made. The applicant may make representations orally or in writing in respect of the proposal within 28 days of issue of the written notice.

CIW will not determine any proposal until either:

- a. any representations have been made by the applicant
- b. the applicant has notified that they do not intend to make any representations
- c. the period during which representations can be made has elapsed

CIW may issue an immediate suspension of approval, where considered necessary and appropriate, pending determination of the proposal.

Representations process

A decision maker will be appointed from within CIW. This person will have had no previous involvement with the application.

The decision maker will notify the applicant of the outcome of the representations process, and reasons for it, in writing within 28 days of receipt of the representations.

The role of the decision maker

In reaching a decision in relation to the proposal the decision maker may:

- uphold the approval body's proposal to refuse or withdraw approval as a home childcare provider by issuing a Notice of Decision
- uphold the representations and grant or renew approval as a home childcare provider under this Scheme
- uphold the representations allowing the approval to continue.

Provision of information to the approval body

Where a person approved as a home childcare provider under the Approval Scheme is convicted of a criminal offence whether in Wales or elsewhere they are required to notify the approval body as soon as reasonably practicable. CIW would expect to be notified of the following details, wherever possible within 14 days of the event:

- a. the date and place of conviction
- b. the offence of which the person has been convicted
- c. the penalty imposed on the person in respect of the offence

Where a person approved as a home childcare provider under the Approval Scheme receives a caution whether in Wales or elsewhere they are required to notify the approval body in writing as soon as reasonably practicable providing detail of:

- a. the offence for which the person received a caution
- b. the date of the caution
- c. any conditions attached to the caution

Any failure to notify the approval body may result in withdrawal of approval.

How CIW deal with a notification of an approved home childcare provider having harmed a child

If CIW are notified that an approved home childcare provider has harmed a child they will advise the caller to notify the appropriate Authority.

CIW will take details of the approved home childcare provider and their address and pass on the information to the local Social Services.

When informed that appropriate authority is investigating the allegations, CIW may withdraw approval at any point during the investigation. Should the investigation clear them of wrong doing the home childcare provider can re-apply to become approved.

How CIW deal with your information

The personal information you supply to CIW is processed in these ways:

- to assess your skills, suitability and eligibility for Approval
- (as anonymised information) for the purposes of evaluation of this scheme and research.

These are the retention periods that apply to the information you supply:

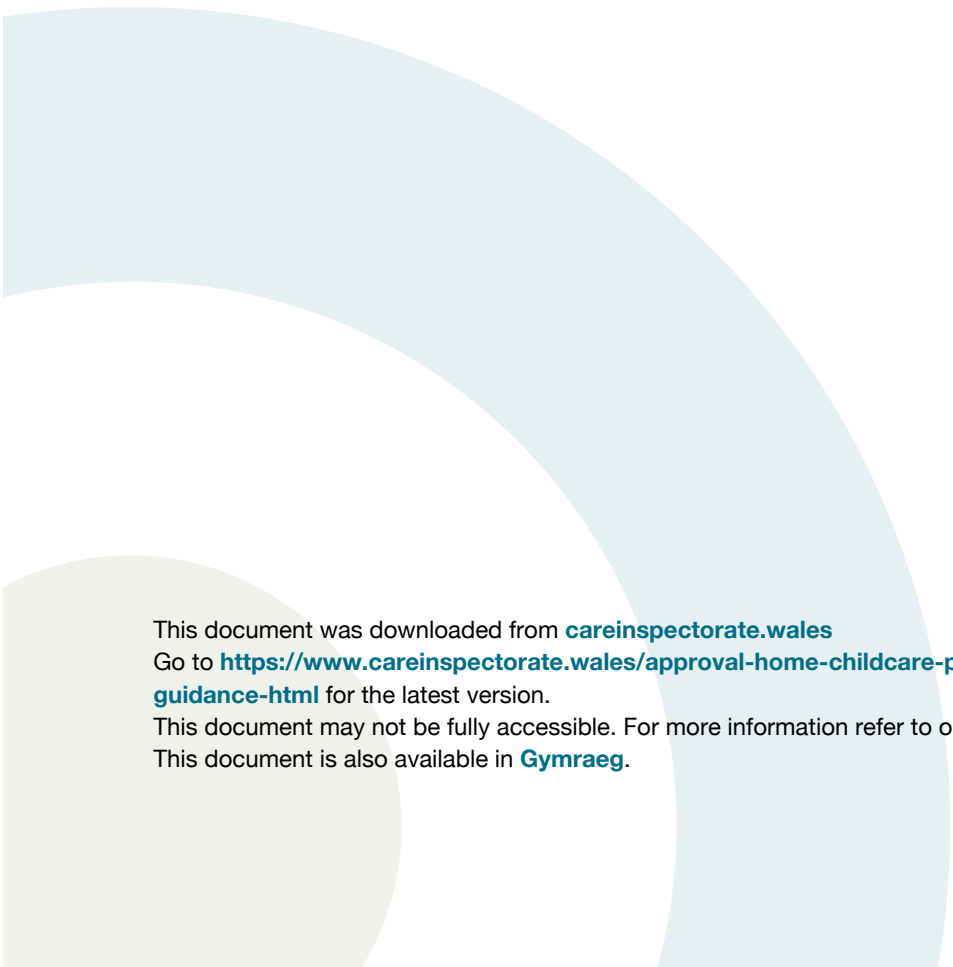
- Application documents kept for 3 years after application
- Application information kept for 6 years after approval has ended
- Anonymised research information is kept in line with Welsh Government corporate policy.

CIW must share with the Commissioners for Her Majesty's Revenue and Customs (HMRC) such information as they may require for the discharge of any of HMRC's functions relating to tax credits, tax free childcare and the childcare voucher scheme and which is information relating to the approval, or the refusal or withdrawal of approval of persons under the Approval Scheme.

CIW must also provide to the Secretary of State such information as the Secretary of State may require for the discharge of the Secretary of State's functions relating to universal credit and which is information relating to the approval or the refusal or withdrawal of approval, of persons under the Approval Scheme.

This information about home childcare providers that are approved, those that are no longer approved, and changes to approved home childcare provider's names and addresses are updated on a monthly basis.

Your information is only shared with local Family Information Services (FIS) if you give CIW your consent to do so in the application form. This sharing of information is to allow parents to find out about approved home childcarers available in their area. These details are also updated on a monthly basis.



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