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STATUTORY INSTRUMENTS

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**2014 No. 2319**

**CHILDREN AND YOUNG PERSONS, ENGLAND**

The Childcare Providers (Information,  
Advice and Training) Regulations 2014

<i>Made</i>	- - - -	<i>28th August 2014</i>
<i>Laid before Parliament</i>		<i>3rd September 2014</i>
<i>Coming into force</i>	- -	<i>24th September 2014</i>

The Secretary of State for Education makes the following Regulations in exercise of the powers conferred by sections 13(1) and 104(2) of the Childcare Act 2006<sup>(1)</sup>:

**Citation, commencement and interpretation**

1. (1) These Regulations may be cited as the Childcare Providers (Information, Advice and Training) Regulations 2014 and come into force on 24th September 2014.

(2) In these Regulations, “the Act” means the Childcare Act 2006.

**Duty to secure the provision of information, advice and training**

2. An English local authority must secure the provision of information, advice and training on the matters mentioned in—

- (a) sub-paragraphs (a), (b) and (c) of regulation 3(1), to the persons falling within regulation 4(1); and
- (b) sub-paragraphs (a) and (b) of regulation 3(1), to the persons falling within regulation 4(2).

**Subject matter of information, advice and training**

3. (1) The matters referred to in regulation 2 are—

- (a) the effective safeguarding and promotion of children’s welfare and compliance with statutory requirements, guidance and procedures for the protection of children;
- (b) meeting the needs of persons described in paragraph (2) in relation to the provision of suitable childcare;

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(1) 2006 c.21. See section 106 for the definition of “regulations”.

- (c) meeting the requirements of the Early Years Foundation Stage, within the meaning given by section 39 of the Act.
- (2) The persons referred to in regulation 3(1)(b) are—
  - (a) children with a disability within the meaning given by section 6(1) of the Equality Act 2010<sup>(2)</sup>;
  - (b) children with special educational needs within the meaning given by section 20(1) of the Children and Families Act 2014<sup>(3)</sup>;
  - (c) looked after children within the meaning given by section 22(1) of the Children Act 1989<sup>(4)</sup>;
  - (d) those using, or intending to use, childcare in respect of which the child care element of the working tax credit (read in accordance with section 12 of the Tax Credits Act 2002<sup>(5)</sup>) is payable;
  - (e) those using, or intending to use, childcare in respect of which the childcare costs element of universal credit (being an amount included in the calculation of an award of universal credit under regulation 31 of the Universal Credit Regulations 2013<sup>(6)</sup>) is payable;
  - (f) other children who are at risk of social exclusion by virtue of unemployment, poverty, homelessness, geographical remoteness, ill health, family breakdown or other economic, cultural or social factors.

#### **Childcare providers and employees**

- 4. (1) The persons referred to in regulation 2(a) are—
  - (a) early years providers registered by the Chief Inspector for the purposes of Chapter 2 of Part 3 of the Act (which provides for the compulsory registration of persons providing early years provision), where—
    - (i) an early years provision inspection report has not yet been published in respect of the provision; or
    - (ii) the overall effectiveness of the provision was awarded a grade weaker than “good” in the most recent early years provision inspection report published in respect of the provision;
  - (b) employees of such early years providers.
- (2) The persons referred to in regulation 2(b) are—
  - (a) later years providers registered by the Chief Inspector for the purposes of Chapter 3 of Part 3 of the Act (which provides for the compulsory registration of persons providing later years provision for children under the age of eight), where the most recent later years provision inspection report published in respect of the provision identifies that one or more of the later years prescribed requirements are not met;
  - (b) employees of such later years providers.
- (3) In this regulation—
 

“Chief Inspector” has the meaning given by section 98(1) of the Act<sup>(7)</sup>;

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(2) 2010 c.15.

(3) 2014 c.6.

(4) 1989 c.41; section 22(1) was amended by paragraph 19 of Schedule 5 to the Local Government Act 2000 (c.22), section 2(2) of the Children (Leaving Care) Act 2000 (c.35) and section 116(2) of the Adoption and Children Act 2002 (c.38).

(5) 2002 c.21.

(6) 2013/376.

(7) The definition of “the Chief Inspector” in section 98(1) was amended by paragraph 117 of Schedule 4 to the Education and Inspections Act 2006 (c.40).

- “early years provider” has the meaning given by section 96(3) of the Act;
- “early years provision inspection report” means an inspection report under section 50(8) of the Act;
- “later years prescribed requirements” means the requirements prescribed for the purposes of sections 54(3)(b), 55(3)(b) and 59(2) of the Act;
- “later years provider” has the meaning given by section 96(7) of the Act;
- “later years provision” has the meaning given by section 96(6) of the Act; and
- “later years provision inspection report” means an inspection report under section 61 of the Act.

### **Revocations**

5. The Childcare Providers (Information, Advice and Training) Regulations 2007(9) are revoked.

28th August 2014

*Sam Gyimah*  
Parliamentary Under Secretary of State  
Department for Education

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(8) Section 50 was amended by paragraph 111 of Schedule 4 to the Education and Inspections Act 2006.

(9) 2007/1797.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations set out the matters on which an English local authority is required to secure the provision of information, advice and training, and the childcare providers to whom that information, advice and training must be provided.

Regulation 3 sets out the matters on which information, advice and training must be secured.

Regulation 4 sets out the childcare providers for whom the information, advice and training must be secured. An authority must secure the provision of information, advice and training to early years providers registered by Her Majesty's Chief Inspector of Education, Children's Services and Skills ("the Chief Inspector") on the early years register established under the Childcare Act 2006, where an inspection report by the Chief Inspector has not yet been published for the provision, or when the most recent published report awards a grade weaker than "good" to the overall effectiveness of the early years provision, and to employees of such providers. Information, advice and training must also be provided to later years providers on the compulsory part of the general childcare register established under the Childcare Act 2006, where the most recent published inspection report for the later years provision identifies that one or more of the requirements for registration on the general childcare register or the requirements governing the activities of those providers are not met and to employees of such providers.

Regulation 5 revokes the Childcare Providers (Information, Advice and Training) Regulations 2007.

An Impact Assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sectors is foreseen.