

REGISTRATION PROCESS FOR PROSPECTIVE SESSIONAL AND FULL DAY CARE PROVIDERS - GUIDANCE DOCUMENT

The Children (NI) Order 1995 states the main purposes of registration are as follows:

- To protect Children
- To provide reassurance to persons using independent services who are arranging for their children to be looked after by someone who is not a relation and may be a stranger
- To ensure that services meet acceptable standards
- To ensure that people wishing to provide services for children do so within an agreed framework.

Definitions of Sessional and Full Day Care

Sessional Day Care is defined as day care for children which covers more than two hours and less than a continuous period of four hours in any one day and covers crèches, playgroups, out of school clubs (including breakfast clubs) and Sure Start Developmental Programme for 2-3 year olds. Wraparound care is also covered under sessional care.

Full Day Care is care for children aged 0-12 for a continuous period of four hours or more in any day in premises which are not domestic. The children do not necessarily have to attend for more than four hours, but if the facility is open for longer than this, it is defined as a full day care setting.

Who is required to Register?

Under the Children (NI) Order 1995 you are required to register with your local Trust if you wish to provide a service as a childminder, set up a day nursery, a playgroup, an out of school club, a crèche, or a holiday club for two or more hours. Approval is also required if you wish to be an Approved Home Carer.

Under the Order you will not have to register if you provide supervised activities such as those provided by;

- Uniformed organisations, i.e., Scouts
- Religious activities
- Leisure and recreational activities
- Activities occurring in schools designed to enhance a child's skills or attainments
- Education tuition

However, if you have any doubt as to whether or not you are required to register, advice can be sought from your local Early Years Team.

Do I have to pay to become registered?

Currently there is no charge for the registration and inspection process. If this changes in the future, you will be notified. Private providers will be expected to meet any costs incurred for vetting procedures for yourselves and any staff you employ. The cost of an individual Enhanced Access NI check currently stands at £30.00 per person. Assistance with these costs may be available for not for profit organisations.

What do I have to do to become registered?

Before you start the registration process it is essential that you familiarise yourself with all the information provided here. It is also essential that you read the Childminding and Day Care for Children Under Age 12 - Minimum Standards (and Implementation Guidance) which will show you the minimum level of service that has to be provided in order for you to be registered with your Trust and meet the inspection standards. These Standards can be downloaded from the Department of Health, Social Services and Public Safety website at www.dhsspsni.gov.uk the accompanying Health and Social Care Board Implementation Guidance is also available to download from www.hscboard.hscni.net. You might also want to familiarise yourself with the legislation that your Early Years team will work under by obtaining the Children Order, Guidance and Regulations Vol 2, Family Support, Childminding and Day Care.

Once you have identified premises, it is advisable that you contact your Early Years team to seek advice as to whether or not the premises are suitable. A social worker will be happy to visit the premises with you to determine if the premises could meet the children's needs. This may prevent applicants from having an unnecessary financial outlay.

Planning permission, if needed will also need to be sought at this time as it will be necessary to submit this with your application form. If you are advised that planning permission is not necessary, you will be required to submit a letter from the Planning Office confirming this. If planning is not required, a letter stating this will also be necessary.

Once you are sure that you wish to proceed, you will be required to complete an application form and forward this to your local Trust. This application form is available on-line or by contacting your local Early Years office. The address at which you propose to offer the service rather than your home address, will determine which team manages your application.

The receipt of the application form is the start of the registration process. Decisions about the application should be normally reached within the six months (full day care) and three months (sessional care). Timescales are dependent upon all relevant information being received from you and other professionals in order to progress vetting checks and assessments. If you apply on-line, you will receive confirmation of your application by email.

What will I need to submit with my application form?

The following documents will be required at the time of application

- A fully completed Application form to include details of two referees, one of whom should be your most current/recent employer
- Set of Plans
- Planning permission
- Consent for vetting checks and completion of an Enhanced Disclosure (Access NI) Application Form with associate identity documents for the applicant.

The following documents will be required before registration is completed

- Building Control Certificate (in some cases this is not necessary so a letter from the council to confirm this is not required)
- Environmental Health report to cover Health and Safety and Food Hygiene
- Confirmation of Fire risk Assessment
- Confirmation of a Health and Safety Risk Assessment to include outdoor area has been completed by the applicant
- Adequate insurance to include Public Liability Insurance and Staff Liability Insurance
- List of staff
- Completed staff vetting (carried out in conjunction with the Trust)- see below
- List of equipment and toys for each room/age group, for indoors and outdoors
- Level 2 Food Safety Certificate (if providing food)
- First Aid Certificates
- Proof of relevant staff qualifications for manager and deputy
- Policies and Procedures (as listed in the Childminding and Day Care for Children Under age 12 Minimum Standards)
- All documentation required for children, parents and staff as required in the Childminding and Day Care Standards eg children's registration forms, daily register and accident/incident records.

Staffing and Qualifications

Persons in charge and their deputies must hold a relevant qualification and have had direct experience of working with children for a minimum of 2 years.

At least 50% of all other childcare staff should have a relevant qualification whilst the remaining staff should be working towards their qualification. All unqualified staff

should be supervised by qualified staff. This means that each room/separate unit within a facility should have a qualified member of staff.

Staff must be over the age of 18 and no more than 2 students or trainees are on placement i.e. physically on the premises, in a registered group at the same time.

Regardless of group size, at least 2 members of staff are on duty in each room at all times.

A list of relevant qualifications can be found in the Childminding and Day Care for Children Under Age 12-Minimum Standards.

The standard recommended staff to children ratios are as follows;

- 0-2 years 1:3
- 2-3 years 1:4
- 3-12 years 1:8

In the case of **full day care** registrations, managers or officers in charge are excluded from the calculations when the setting has places for more than 20 children.

All staff must undergo safeguarding/child protection training on a three yearly basis and at least one staff member on duty must hold Paediatric First Aid training.

In the case of **full day care** each facility should have adequate support staff including a cook (where meals are cooked on the premises for more than 15 children). Child care staff should not be used as cleaning staff at any time that comprises their caring duties.

What vetting do staff require and how is this processed?

It is the responsibility of the Trust under Article 124(i) and (ii) of the Children (NI) Order to ensure that all staff are "Fit" to be in the proximity of children under the age of 12.

All staff, therefore, including the owner/manager require to be vetted. This also applies to students, volunteers, support staff, regular visitors and all contracted staff. Vetting includes criminal checks, medical declaration, any current or previous social work involvement and references. Social work involvement includes Family and Childcare, Family and Child Consultation Services (Child Psychiatry), Mental Health and Community Addictions. Criminal record checks include all spent convictions and pending convictions. Vetting is carried out in conjunction with your registering social worker. The Health and Social Care Board Regional Vetting Guidance document is available on-line at www.hscboard.hscni.net or from your registering social worker.

It is recommended that you register with Access NI in order to carry out the criminal records checks on your staff called an Access NI Enhanced Disclosure Certificate or these can be done through an umbrella body. A guide to using Access NI can be obtained from their website at www.accessni.gov.uk or from;

Access NI PO Box 1085 Belfast BT5 9BD

If the applicant or any proposed staff have lived outside the UK or Ireland since the age of 10 they will be required to produce evidence of their criminal record or a Letter of Good conduct.

Please note that under the Disqualification for Caring for Children Regulations (NI) 1996, there are a number of offences that preclude an individual from working with children under the age of 12. These include offences against children and/or threat of injury to another person. Only in exceptional circumstances will this disqualification be lifted by the Trust.

All staff including the applicant are required to complete the following and these must be forwarded to the Trust;

- Consent to checks form
- Disqualification for Caring for Children Regulation (NI) 1996
- Declaration of Health
- Non-Discrimination Declaration

All documentation is available on-line or will be sent to you on receipt of your application.

Once you have completed the Access NI on your staff confirmation of these checks must be sent to the Trust. If the Access NI has any criminal information or 'soft' intelligence on it a copy of the Access NI must be forwarded to the Trust. No member of staff can commence work until all aspects of the vetting process are complete and a letter of clearance is issued to you. If issues of concern arise in the vetting process, these will initially be addressed confidentially with the individual applicant and then, if necessary, the applicant will be encouraged to inform you of the concerns before a decision is made as to whether or not the applicant can be employed. This may result in the matter being brought before the Early Years Panel.

In addition to the above, a "Fit Person" assessment will be carried out on all owners, managers, officers in charge, deputies, committee chairs and Designated Child Protection Officers.

The Trust will have regard to the following when considering “Fitness”;

- Previous experience of looking after or working with children or people with a disability or the elderly;
- Qualification/and or training in a relevant field such as childcare, early years education, health visiting, nursing and or other caring activities;
- Ability to provide warm and consistent care;
- Knowledge of and attitude to people of different religious and racial backgrounds;
- Commitment and knowledge to treat all children as individuals and with equal concern;
- Physical health;
- Mental stability, integrity and flexibility;
- Known involvement in criminal cases involving abuse to children.

What is required of the premises?

The premises need to be safe, secure and suitable for their purpose and meet relevant statutory requirements.

The standard space requirements are as follows;

- 0-2 years 4.2 sq metres (including the size of a cot)
- 2-3 years 2.8 sq metres
- 3-5 years 2.8 sq metres
- 5-12 years 2.3 sq metres

Please note; the space requirements are **2.3 sq metres** for children in **Sessional groups**.

Fixtures fittings and cupboards should be excluded when considering if there is adequate space.

Young children do better in small groups. Babies under the age of two should not be cared for in a group size exceeding 12. Children aged 2-3 should not be cared for in a group size exceeding 20. Children in their pre-school year should not be accommodated in groups of more than 26 children and out of school children in groups of not more than 30.

It is preferable to have separate areas for quiet and messy play

Where possible children should have access to a safe and secure outdoor play space adjacent to the premises. Where this is not possible, suitable arrangements for physical and outdoor play must be made.

The following are requirements for **full day care premises only**;

- There should be separate rooms for each age group.
- There is a separate sleep room for babies under age 2 years with access to one cot for each two babies
- There is one toilet and one wash hand basin per 10 children over 2 years
- Toilet facilities are accessible to children with a disability
- Toilet facilities for children are designed for their own use
- There is a designated nappy changing area and arrangements for the safe disposal of soiled nappies
- Separate toilet facilities are provided for staff
- A food preparation area is available
- Area where children can eat their meals and snacks
- An office is provided where staff may talk to parents confidentially
- There is a room where staff can take a break away from direct contact work with children
- There is secure storage for staff's personal belongings

The following apply to all **sessional group premises only**

- There is one toilet and one wash hand basin per 10 children over 2 years
- Toilet facilities are accessible to children with disabilities
- Unless impracticable, toilet facilities for children are designed for their sole use. If shared, children are supervised when using them
- A food preparation area is provided
- An area is provided where staff may talk to parents confidentially
- There is secure storage for staffs' personal belongings

Furniture, Equipment and Toys

A range of sufficient and suitable play equipment and materials should be available for indoor and outdoor play to provide stimulating activities for children in all areas of their development and learning. The equipment should help create a warm, stimulating and safe environment and tables and chairs should be child-size.

Where applicable, furniture and play equipment should conform to BS EN Safety Standards or the Toys (Safety) Regulations.

Food and drink

Children should be provided with a wide variety of nutritious foods and drinks that will contribute to their health, growth and development. Settings must register with the Environmental Health Service and comply with their guidance.

Is there any additional help available to assist me in setting up my facility?

Your local Early Years team will be happy to offer support throughout the process. In addition to this, it is recommended that you contact an early years advisor at the start of your registration process. The advisor will be an excellent resource in helping you set up your facility giving advice on activities and layout and will assist regarding the writing and implementation of your policies. A full list of the required policies are found in the Childminding and Day Care Standards for Children under age 12. Ongoing training is also available through Child Care Partnerships, early years advisors and support agencies.

What Legislation do I need to be familiar with?

As well as complying with the requirements of the Children (NI) Order 1995, it is essential that you make yourself familiar with other legislation which may affect your facility and if applicable, your role as an employer. These include;

- Protection of Children and Vulnerable Adults Order 2003
- Planning Procedures (Further information available from your divisional planning office)
- Data Protection
- Fire precautions (Workplace) Regulations (NI) 2001
- Food Hygiene (Further information available from the Environmental Health Department at your local council)
- Health and Safety (Further information available from the Environmental Health Department and the Health and Safety Executive, 83 Ladas Drive, Belfast BT6 9FR.
- Employment Law (further information available from the Labour relations Agency)
- Human Rights Act 1998
- DVA

(This is not an exhaustive list and it is your responsibility to make yourself aware of all the legislation that will relate to your setting).

What Happens Next?

We will acknowledge your application form and begin to process the vetting checks that we have responsibility for. Your application will be allocated and a social worker will contact you to arrange to visit the premises again and guide you through the registration. The social worker will also carry out "Fit" Person assessments with you and all required individuals as listed above. It is likely that the social worker will visit your premises to assess its suitability and meet with you on a number of occasions before the registration is complete. Links may also be made with other individuals involved with the registration process such as estate services and your Health Visitor/Paediatrician.

Sharing your information

We will process any information we have about you in accordance with the law, and, in particular, the Data protection Act 1998. Under the Freedom of Information Act 2000 you can request in writing any information we hold about you.

What happens following the assessment?

Once the registering social worker is confident that the full assessment is complete and meets the required standards, the application to be registered will come before an Early Years Panel.

You will be asked to attend the panel and the social worker will present all the required information to the panel to determine whether registration can be granted. The panel will also make decisions on such issues as the number of children the premises can be registered for and any additional requirements that need to be put on your certificate of registration. If registration is granted, you will be issued with a Registration Certificate and you will be able to start caring for children. This Registration Certificate is your proof of registration and outlines the conditions of your registration. It is a legal document and will remain valid until;

- Any of the conditions of your registration are changed, added to or removed either as a result of a request by you or because the Trust decide to make changes;
- The Trust cancels your registration;
- You resign your registration;
- You move premises.

Please note, you must not start to care for children until you are advised in writing that you are able to do so.

Refusing Registration

If there are grounds for refusing registration, these will be discussed with you and will be put in writing to you. You will have the right to appeal this decision through an Early Years Appeals Panel. Information on the Early Years Panel process is available to download or from your local Early Years Team.

Withdrawing your application

During the process, you may change your mind about continuing your application to register. Please advise the Trusts Early Years team as soon as possible in order to stop the registration process.

What Happens Once I am Registered?

Under the Children (NI) Order 1995 the Trust will have a duty to inspect you and your premises at least once a year to ensure that you are in compliance with your certificate of registration. Additional inspection visits may also take place at any time and any complaints or concerns passed to the Trust will also be addressed with you. Your registering social worker will also be able to provide support and you must inform the Trust of any proposed changes that would affect the provision, such as changes to the committee membership, structural changes or staff changes. Contact details for the Trusts Early Years teams are provided below.

(add Trust contact details)