



Department for Business, Innovation & Skills

Small Business, Enterprise and Employment Act: Childcare and Schools fact sheets

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Early Years Pupil Premium: extending information gateway powers to determine eligibility

Aims of the measure:

- This measure supports the introduction of the Early Years Pupil Premium for disadvantaged three and four-year-olds in April 2015.
- Currently the legal framework allows an existing Eligibility Checking Service, which is owned by the Department for Education (DfE), to be used to check whether a child is eligible for the two-year-old entitlement, or for a Free School Meal.
- Further primary legislation is necessary to enable it to be used to check eligibility for the Early Years Pupil Premium.

Measure will:

- The proposed new provision will allow information supplied by Her Majesty's Revenue and Customs (HMRC) and the Department for Work and Pensions (DWP) to be shared with the Secretary of State (in practice the Secretary of State for Education) or local authorities in England for the purposes of providing funding related to the early education entitlement, which includes the Early Years Pupil Premium.
- In practice it will be used to allow local authorities to check eligibility for the Early Years Pupil Premium. It also ensures that the unlawful disclosure of such data is an offence.

Specific outcomes and impacts / next steps:

- In order for the premium to work, it is essential that local authorities can identify eligible children. This measure will allow local authorities to allocate funding to schools, nurseries and other providers.
- Without this change, local authorities would have to implement complex and burdensome paper checks in order to assess eligibility. Making this change was strongly supported by the Department for Education's consultation on the Early Years Pupil Premium. A summary of the consultation responses and the government's response are available on the department's website at:
<https://www.gov.uk/government/consultations/early-years-pupil-premium-and-funding-for-2-year-olds>.

Exemption from requirement to register as early years provider:

Aims of the measure:

- To make it easier for schools to take two-year-olds by removing the requirement to register separately with Ofsted for provision for two-year-olds. This will reduce the bureaucratic burden on schools – and has already been done for three and four-year-old provision.
- To promote a prosperous and growing childcare market which meets the needs of working families.

The measure will:

- Extend the exemption from Ofsted registration that schools already have for taking children aged three and above to include two-year-olds.
- Lead to minor amendments to other primary legislation (principally the Childcare Act 2006), subsequent minor consequential amendments to secondary legislation and revisions to Ofsted guidance for providers.

Specific outcomes and impacts:

- This will remove the anomaly that arose because schools' existing exemption from registering with Ofsted to take three and four-year-olds was established before schools became able to take two-year-olds.
- It will also make it easier for schools to offer early years provision, or to extend downwards their existing offers.
- The measure will reduce the bureaucratic burden on schools as they will no longer have to register separately when taking two-year-olds and they will no longer have separate inspections for their two-year-old provision.
- It will also help to improve the quality of childcare; research shows that having a teacher lead provision has the biggest influence on quality of that provision.
- An increase in the amount of childcare available for two-year-olds will also help local authorities meet their statutory duty to provide funded places for the most disadvantaged two-year-olds.

Childminding other than on domestic premises, and Registration of childcare: premises:

Measures:

- To amend the definition of childminding to allow childminders to operate on non-domestic premises for up to half their time using their childminder registration.
- To remove the requirement for childcare providers to register separately each of their premises used for the provision of childcare.

Aims of the measures:

- Promote a prosperous and growing childcare market which meets the needs of working families.
- Create a more consistent and coherent childcare registration system that is easier for providers and parent to navigate.
- Reduce and remove unnecessary red tape.

Measures will:

- Make it easier for schools and other providers to offer out-of-hours childcare from 8-6pm.
- Give childminders more flexibility about the premises from which they can operate.
- Enable childcare providers to register multiple premises in a single registration process (or to add additional premises to an existing registration).

Specific outcomes and impacts:

- The current definition of childminding only allows registered childminders to operate from domestic premises (usually their own home). Childminders will have additional flexibility in future to work from non-domestic premises for up to half their time using their childminder registration. For example, they could run a small after school club working on school premises.
- Childcare providers will be able to make one registration application to Ofsted or the relevant childminder agency in respect of multiple premises, or to add additional premises to an existing registration.
- Although Ofsted or the relevant childminder agency will still need to approve all premises used for the provision of childcare, providers will no longer be required to complete multiple applications every time they open or acquire a new site. It is a 'bureaucracy busting' initiative to help encourage providers to expand or open up new provision.



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