

Huw Irranca-Davies AC/AM
Y Gweinidog Plant, Pobl Hŷn a Gofal Cymdeithasol
Minister for Children, Older People and Social Care



Llywodraeth Cymru
Welsh Government

Our Ref: MA - L/HID/0673/18

Lynne Neagle AM
Chair
Children, Young People and Education Committee
National Assembly for Wales
Ty Hywel
Cardiff
CF99 1NA

Dear Lynne,

5 November 2018

Childcare Funding (Wales) Bill: Stage 2 proceedings

Thank you for your letter of 23 October, seeking clarification on the information we provided in relation to registration requirements for those wishing to provide childcare funded under this Bill's provisions.

The purpose of the Childminding and Day Care Exceptions Order (2010) is to set out exceptions to what constitutes (or does not constitute) "*child minding*" or "*day care for children*" for the purposes of Part 2 of the Children and Families (Wales) Measure 2010.

The Order makes no reference to whether a school can or cannot register to provide childcare. The Order does state, under Part 3 14.-(1), that '*a person does not provide day care where care is provided to children at a school and the provision of care is incidental to the provision of education*'. The intention of this clause is to ensure that schools are not required to register as childcare providers for the incidental care they provide. I can confirm that our planned review of the Childminding and Day Care Exceptions Order (2010) will not seek to change the registration requirements for schools who choose to provide childcare services. These are set out in the Child Minding and Day Care (Wales) Regulations 2010. We have no current plans to amend these Regulations.

You asked for clarification on the Welsh Government's position in relation to the provision, by nannies, of childcare funded under this Bill. The Childminding and Day Care Exceptions Order (2010) states under Part 2 5.-(1) that:

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

A person who is employed -

*(a) (i) to look after a child or sibling group for parents ("the first parents"), or
(ii) to look after a second child or sibling group for parents ("the second parents") in addition to the children looked after for the first parents, and
(b) who looks after the children concerned wholly or mainly in the first or second parents' own home or homes, does not act as a child minder'*

This clause means that nannies are not treated equivalently to childminders and are not required to register with the Care Inspectorate Wales to provide care. However, to deliver the Offer, childcare providers must be regulated and inspected by CIW in order to ensure that they adhere to the National Minimum Standards for Regulated Childcare. Therefore, as you letter rightly points out, nannies are excluded from providing childcare funded through the Offer, and we do not plan to change that position.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Huw', with a horizontal line underneath it.

Huw Irranca-Davies AC/AM

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