



Department  
for Education



# **New Flexibilities for Childminders**

## **LA Webinar: 6 November**

# Agenda

## **Department for Education (DfE)**

- Overview of the changes
- Key differences between childminders and childminders without domestic premises
- Childminder consultation 2024
- Next steps

## **Ofsted**

### **Early Years childcare reform changes: what local authorities need to know**

- Provider types
  - Childminders without domestic premises
  - Childminders (with domestic)
  - Childcare on domestic premises
- Helping applicants understand their options
- Upcoming guidance and communications from Ofsted
- Further resources
- Questions

# Why are we making the changes?

The new flexibilities being brought in through the Levelling Up and Regeneration Act 2023 (LURA) respond to what we have heard from childminders and the sector which included:

Childminders would like the opportunity to grow their business and take on more children

Working with more childminders and assistants can help reduce loneliness and, encourage peer learning

Prospective childminders can face property and other barriers that can prevent them from joining the profession

Some childminders are reluctant to operate from their own home due to the disruption this can cause to family life

They should help childminders to join and stay in the profession, enabling people to become childminders who previously couldn't, such as those who are unable or do not want to work from their home, and giving childminders the flexibility to grow their business if this is what they want.

# What will the new flexibilities do?

Currently, at least half of a childminder's provision must be provided on domestic premises, and they are limited to working with a maximum of three people in total. The changes:



Create a new category of childminder (childminder without domestic premises) who would work entirely from non-domestic premises



Increase, from 3 to 4, the total number of people (childminders and/or assistants) who can work together under a childminder's registration



Give childminders and childcare on domestic premises greater flexibilities to spend more time operating outside of domestic premises, such a community hall or school



Increase the number of people needed for CODPs to 5 or more people providing care (CODPs that were registered, or applied to register, before 1 November can continue operating with 4 or more people)..

# Key differences between childminders with and without domestic premises

## Differences:

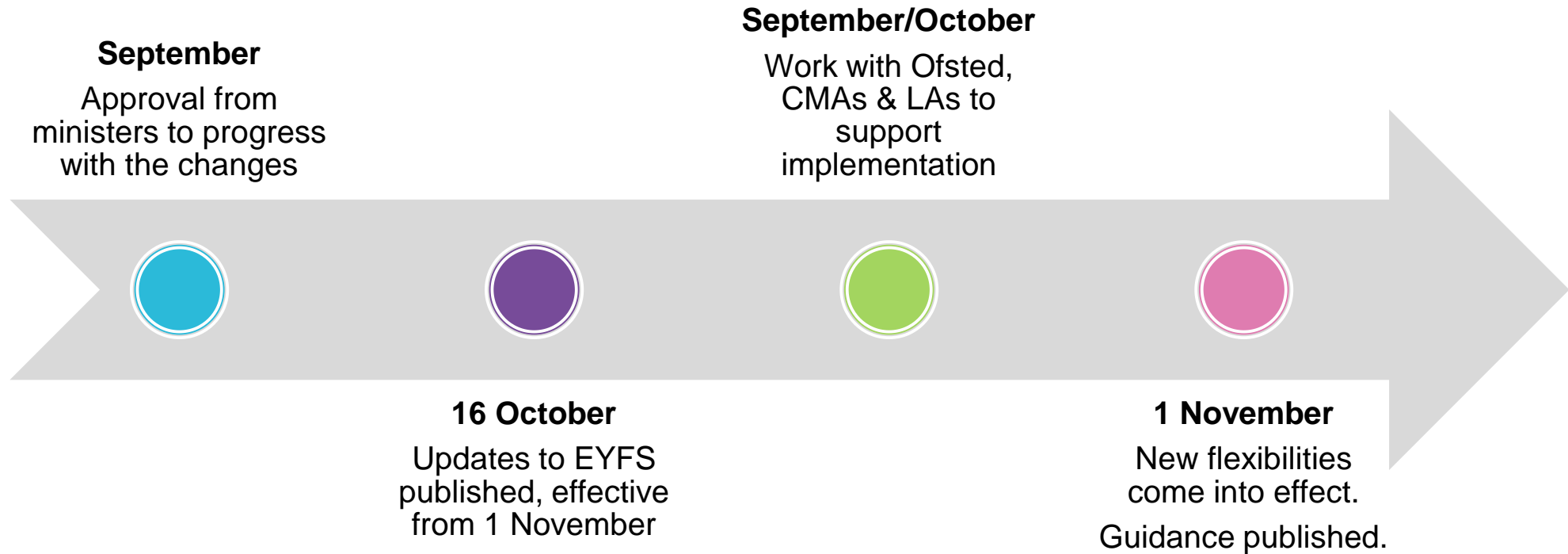
- Childminders (with domestic premises) can choose how much time they spend on domestic or non-domestic premises (as long as they spend some time on their domestic premises).
- Childminders without domestic premises cannot register domestic premises and cannot care for children on domestic premises at any time.
- Childminders without domestic premises will not need DBS checks for household members. DBS checks will only be required for the childminder and their assistant/s.

## Similarities:

- Childminders must follow the early years foundation stage (EYFS) statutory framework for childminders (including renewing Paediatric First Aid certificates every 3 years)
- Ofsted and CMAs will assess individual childminders against the EYFS requirements in the same way, regardless of where they operate.
- Both categories can take children on outings. The EYFS for childminders has information about keeping children safe on outings, which could include a park or library.
- Both categories are required to seek approval from Ofsted or their CMAs before they can operate from individual non-domestic premises.

Ofsted and childminder agencies (CMAs) will continue to regulate the safety and quality of childcare provision in line with their legislative responsibilities.

# High-level timeline for the changes



Engagement with stakeholders, comms and guidance to support introduction

# Childminder consultation

In March 2024, we launched a consultation to better understand and address some of the issues and barriers experienced by childminders.

The consultation was aimed at improving the recruitment and retention of childminders and supporting childminder agencies, by:

- seeking feedback on specific proposals,
- gathering evidence about the best ways we can support childminders in future, and
- recognising and raising the profile of childminding as a profession.

We are really grateful to those LAs who responded and also took part in some of the additional asks around frequency of payments to childminders and other EY providers.

We are working through the responses and will provide more detail soon.

# Feedback from the childminder consultation

Childminders report facing a number of challenges, including:

- a lack of funding for looking after related children
- property restrictions
- issues related to entitlement funding and universal credit
- feelings of isolation
- a lack of recognition for their professionalism
- business administration processes
- frequency of payments

## Lessons learned

The consultation also helped us better understand how childminders want the department to engage with them. Childminders told us they:

- feel overlooked by the rest of the early years sector and DfE – it is important that we recognise childminders in our communications
- value the opportunity to express their views to us, preferring discussions over presentations.
- are most likely to be able to attend events after 6pm and online.

**Key themes** - these can broadly be summarised as:

- wraparound and entitlements
- LA payments
- Ofsted inspections
- funding for related children
- funding more generally
- focus on recruitment over retention
- recognition



## Next steps

We want to work with LAs to support you to understand and promote the new flexibilities.

LAs may want to think about the following:

- Updating websites to reflect the changes
- Factoring them into recruitment and training events for childminders.
- Using local knowledge to identify where childminders may be able to operate from non-domestic premises.

We would be grateful if you can use your networks to promote the changes.

### Where to get more information

- Updated EYFS from 1 November - [Early years foundation stage \(EYFS\) statutory frameworks](#)
- DfE article: [new flexibilities for childminders](#)
- Ofsted's blog: [New changes for childminders coming soon](#)
- [Guidance: Register as a childminder or childcare on domestic premises](#)

# **Early Years childcare reform changes: what local authorities need to know**

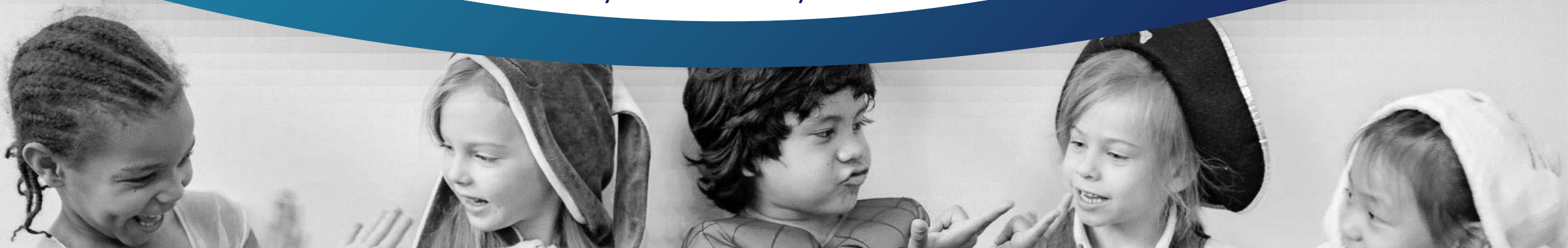
## **New flexibilities from 1 November**



Lora Teague – Childcare Reform Lead Trainer

Glen Jump – Childcare Reform Project Manager

Emily Pearce – Policy Officer





## Registration timescales

- 12 weeks - Early Years Register applications
- 10 week - Childcare Register Applications

# Childminder Without Domestic Premises





Childminder  
without  
domestic  
premises  
(CMWDP)

You are a CMWDP and can register with Ofsted or a Childminder agency if you are:

- caring for children ages 0-8 years old (not including those you have parental responsibility for, or are otherwise related to)
- for payment or reward
- for more than 2 hours a day
- on any approved **non-domestic premises** only
- a maximum of **4 people** providing or assisting with childcare.



Childminder  
without  
domestic  
premises  
(CMWDP)

- Childminders must gain approval from Ofsted / CMA before they provide childcare from any **non - domestic** premises, including moving the whole provision.
- They can have multiple approved non-domestic premises but can only provide care from **one premises** at any one time.
- Providers must let us know how they are using their premises and splitting their time.



Childminder  
without  
domestic  
premises  
(CMWDP)

- Assistants can be left for up to 2 hours – the CMWDP remains responsible for the childcare at all times.
- If a CMWDP provides care from a domestic premises, this is an automatic offence.
- More than 4 people working together as a group at any one time would be unregistered care and they would need to register as a CoNDP.



Childminder  
without  
domestic  
premises  
(CMWDP)

- Childminders must inform Ofsted and CMA of changes to people **looking after children**.
- Ofsted will complete checks on anyone **looking after** children and **not** household members.
- Inspectors can suspend a CMWDP's registration if they determine children may be at risk of harm.
- They can suspend the primary and additional premises, the additional premises only, but **not** the primary address only.





Childminder  
without  
domestic  
premises  
(CMWDP)

More practical information from FAQ:

- As the CMWDP works from **non-domestic** premises, we will publish the address of the primary premises.
- They can register unlimited number of non-domestic premises, however, **10** can be displayed on the registration certificate.
- There will be a **banner** on Gov.uk website to state when they have additional premises.



## Childminder without domestic premises (CMWDP)

More practical information about application / communication with providers.

- Individual's registered as CMWDP do **not** require a homebased DBS check (Similar to those registered on CCOND)
- However, if they already have this type of check we would be able accept this providing it meets the other criteria; Enhanced with barred lists, child workforce, issued in the last three months or subscribed to the Update Service
- Applying as CMWDP follows a similar route to childminder applications and includes new adult forms (previously new adult in the home forms) for associations working at the provision.



## Childminder without domestic premises (CMWDP)

More practical information about application / communication with providers.

- Welcome call will confirm applicant is applying correctly.
- This will include that all of those working at the setting have been included on the application and have the relevant DBS check.
- We will only accept the application once we are confident it is accurate and correct.
- The application follows the same process as existing new EY applications, in which we will arrange for the registration visit (at week 9) on the welcome call.



## Childminder without domestic premises (CMWDP)

Inspection:

We **already inspect** childminders who also work up to 50% of their time on non-domestic premises using the tools available.

### Documents



[EYFS statutory framework for childminders \(effective until 1 November 2024\)](#)

PDF, 420 KB, 43 pages



[EYFS statutory framework for group and school-based providers \(effective until 1 November 2024\)](#)

PDF, 481 KB, 50 pages



[EYFS statutory framework for childminders \(effective from 1 November 2024\)](#)

PDF, 426 KB, 44 pages



[EYFS statutory framework for group and school-based providers \(effective from 1 November 2024\)](#)

PDF, 494 KB, 51 pages

### Guidance

#### Early years inspection handbook

Ofsted guidance on inspecting registered early years and childcare providers under the education inspection framework.

From: **Ofsted**

Published 14 May 2019

Last updated 9 September 2024 — [See all updates](#)

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Applies to England

### Documents



[Early years inspection handbook](#)

HTML



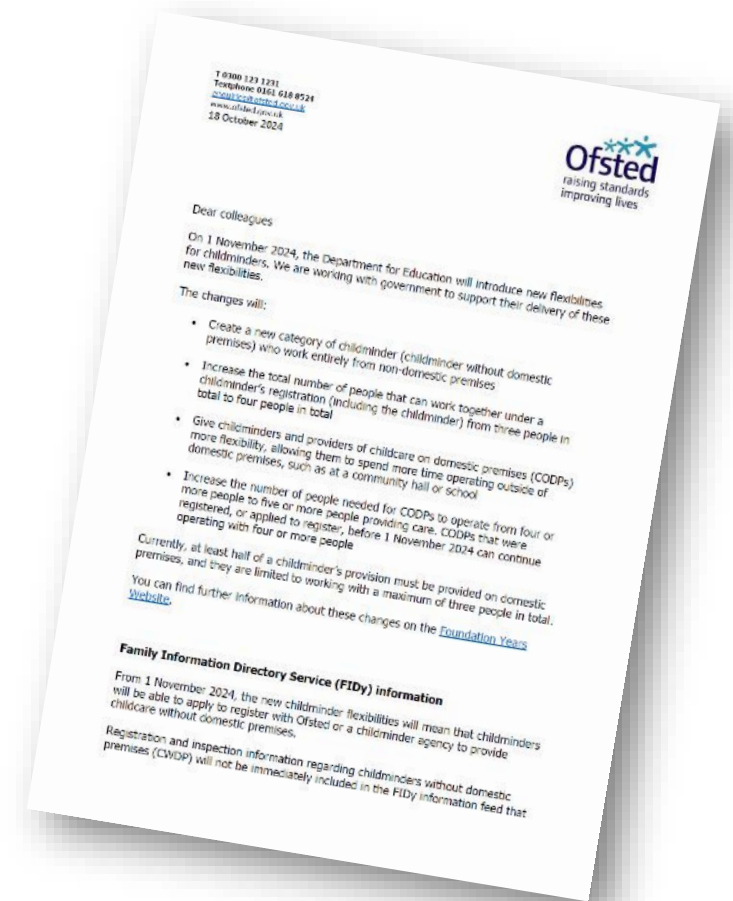
[Summary of changes](#)



## Childminder without domestic premises (CMWDP)

### Family information services

- Local authority 'FIDy' feed only contains the primary address. This does not sit in the feed itself, but is in the individual LA SharePoint link.
- Updates to the security certification process are also in progress. Please contact [Extranet@ofsted.gov.uk](mailto:Extranet@ofsted.gov.uk) for further information.







## Childminders on domestic premises





## Childminder

Childminders can now:

- provide care on a **domestic premises** and any approved non-domestic premises for **some** of the time
- CM must gain approval from Ofsted / CMA before they use any **non - domestic** premises.

Guidance

### Applying to work some of the time on non-domestic premises (EYA)

Apply to work on non-domestic premises for some of the time.

From: [Ofsted](#)

Published 2 August 2022

Last updated 1 November 2024 — [See all updates](#)

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Applies to England

Contents

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- [Overview](#)
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- [Childminders without domestic premises](#)
- [Before you apply](#)
- [How to apply](#)
- [After you apply](#)
- [Tell Ofsted about any other changes](#)



Guidance

## Childminders: report new people in the setting

If you are a childminder, you must tell Ofsted within 14 days about new people aged 16 or over who live or work in the home where you look after children. This includes children who turn 16. If you are a childminder without domestic premises, you must tell Ofsted about new people aged 16 or over who help to provide care on the non-domestic premises.

From: [Ofsted](#)

Published 19 February 2020

Last updated 1 November 2024 — [See all updates](#)

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Applies to England

Contents

- [What you must do](#)
- [New people in the setting](#)
- [Household members and visitors](#)
- [What the new people on your childcare premises must do](#)
- [Tell us about new people in the setting](#)



Childminder

- They need to provide information about everyone **looking after** children, **working** or **living** on the premises.
- There can be a maximum of **4 people** providing or assisting with childcare.



## Childminder

### More practical information:

- When we consider setting actions that relate to premises, it is important to action the breach of requirement and what the provider has failed to do or is not able to do.
- We will be publishing the type of premises in any outcome summary we publish. Outcome summaries are documents found on the providers page – we publish these when we or the provider have taken action to meet legal requirements.



## Childminder

### Additional Premises:

- Approval for additional premises are risk assessed by the regulatory team. Where there are concerns, the approval decision is referred to the region.
- **External enforcement policy** – ‘refusing approval of additional or different premises’



## Childcare on domestic premises





## Childcare on Domestic Premise (CoDP)

You are a CoDP, a type of group provision, and can register with Ofsted or a Childminder agency if you are:

- caring for children ages 0-8 years old (not including those you have parental responsibility for, or are otherwise related to)
- on a **domestic premises** and any approved non-domestic premises for **some** of the time
- for payment or reward
- for more than 2 hours a day





## Childcare on Domestic Premise (CoDP)

- Providers must register as a CoDP if at any time there are **5 or more people**, working as a group to provide or assist with childcare
- CoDP must apply to register with Ofsted / CMA again if they wish to **move** domestic premises.
- CoDP must gain approval from Ofsted / CMA before operating from any **non - domestic** premises.
- They need to notify Ofsted about everyone **looking after** children, **working** or **living** on the premises for appropriate checks to be completed.



## Childcare on Domestic Premise (CoDP)

- there must be **5** or more people providing or assisting with childcare to register, this means 5 EY2 forms on application
- if the number of people **frequently falls below 5**, the provider may wish to register as a childminder for those times

Considerations about 'frequently falling below' could be:

- They do not have five people actively employed to work in the setting.
- They operate more often than not with fewer than five people.
- This choice affects their ability to meet children's needs
- They cannot meet the group provision requirements





## Childcare on Domestic Premise (CODP)

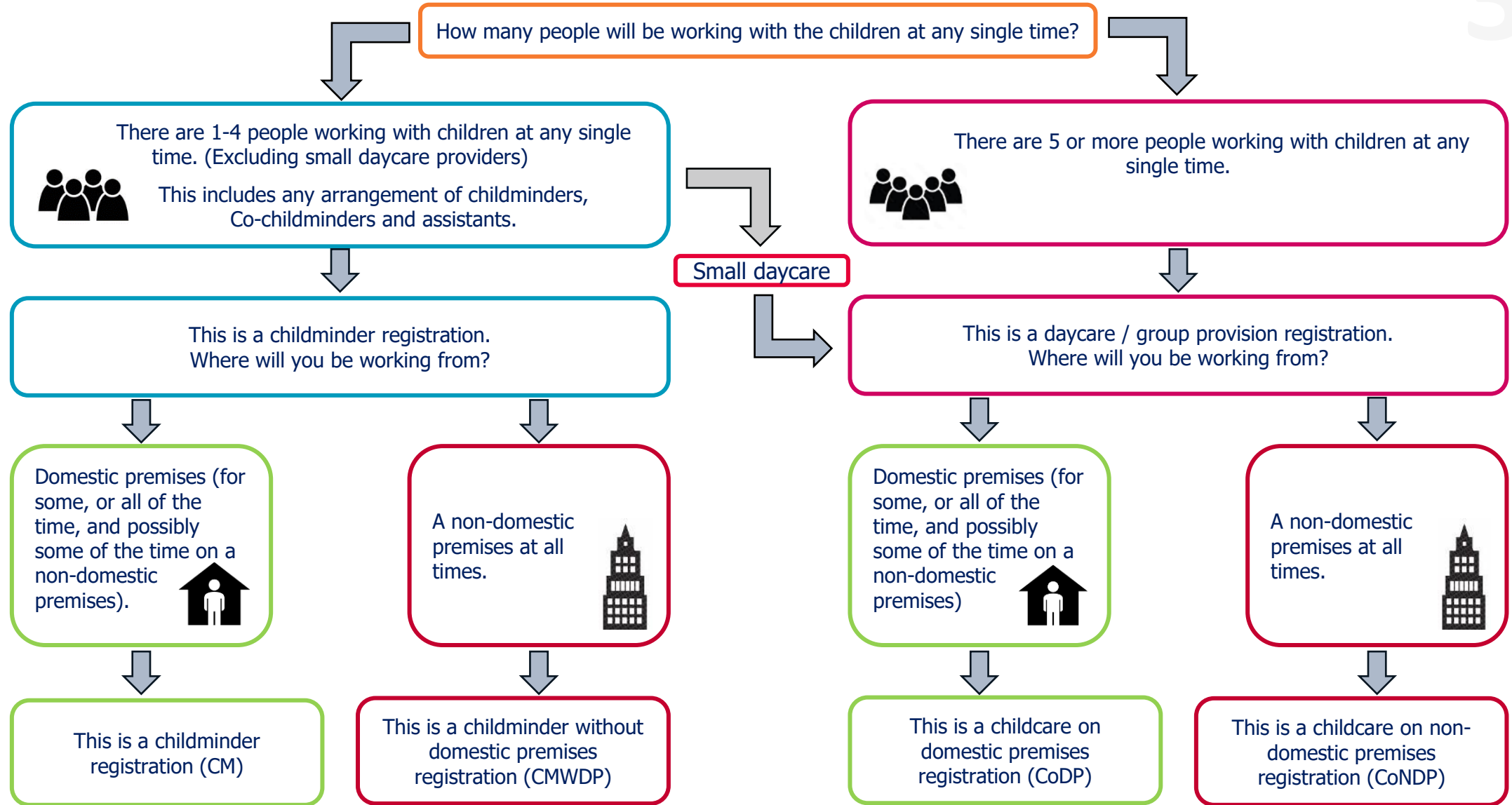
- Currently we have 211 CoDP providers registered with Ofsted and 11 with CMAs.
- These providers are already registered and can continue operating under the current requirement of **4 people** providing or assisting with childcare.





Choosing what is right for you

# What provider type?





# Upcoming guidance and communication

## Upcoming Webinars

- 12 November – 12pm-1pm
- 21 November – 6.30pm-7.30pm



# Guidance and communications

GOV.UK


Home > Parenting, childcare and children's services > Childcare and early years > Providing childcare > Becoming a childcare provider

## News story

### Ofsted opens registrations for new childcare provider type

Ofsted has today begun accepting applications for a new category of childcare provider, as part of a series of changes the Department for Education has introduced to give the early years and childcare sector more flexibility.

From: Ofsted and Department for Education  
Published: 1 November 2024



Childcare providers now have the option to register as childminders without domestic premises, meaning they can work solely from somewhere other than a home, such as a village hall.

Previously, childminders had to register on domestic premises and spend at least 50% of their time working from a home address. The government has now removed this limit, but those registered to provide care at someone's home will still have to spend some of their time on domestic premises. It will be up to individual providers to decide how best to split this between settings.

The total number of people who can work together under a childminder's registration has also increased from 3 to 4, allowing providers more flexibility to work with others, such as co-childminders and childminding assistants.

New guidance, published today, explains how these changes will impact on childcare providers and how to register under the new provider type.

Read the guidance on how to ['Register as a childminder without domestic premises'](#).

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## Guidance

### Register as a childminder without domestic premises

Application guidance for childminders who provide care solely from somewhere other than a home.

From: Ofsted  
Published: 1 November 2024

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Applies to England

Related content

Collection

[Providing childcare services in England](#)

Contents

- Introduction
- Joining an Ofsted register
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- Training requirements for the different Ofsted registers
- Who you must tell Ofsted about
- Current or previous registrations with Ofsted
- DBS checks you will need
- Registration costs
- How to register
- Register as a childminder without domestic premises
- After you send us your application

Print this page

A 'childminder without domestic premises' is a childminder who works solely from somewhere other than a home, like a community or village hall. Childminders without domestic premises cannot work from their or anyone else's home at any time under this type of registration.

Read this guidance if you are applying to register as a childminder without domestic premises. If you want to provide childcare in your own home or someone else's home, read our [Become a childminder or nanny guidance](#).

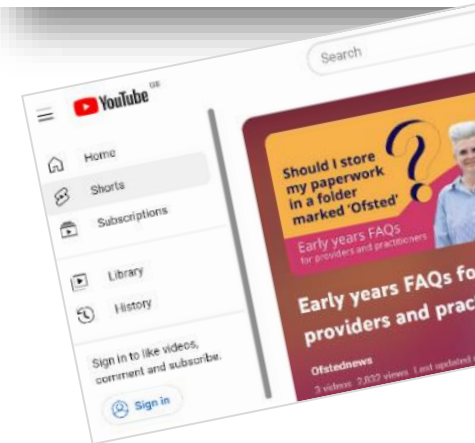


## Further guidance:

[Early years and childcare registration](#)

[Early years and childcare regulation](#)

[Ofsted inspections of early years and childcare providers](#)



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[linktr.ee/ofstedbeststartinlife](https://linktr.ee/ofstedbeststartinlife)



## Giving children the best start in life

[Christopher Russell, National Director Education](#), 4 November 2022 - [Early years](#)



## The difference between registering with Ofsted or a childminder agency

[Yvette Stanley, National Director Regulation and Social Care](#), 30 September 2022 - [Childminder registration, Early years](#)



## Who needs to submit an EY2 form, and tips for completing it

[Jayne Coward, Deputy Director for Early Years Regulatory Policy and Practice](#), 26 September 2024 - [Early years](#)



In this blog, we'll set out who needs to submit an EY2 form and give you some tips on completing it, which will help us process your submission quickly and efficiently.

### Do I need to complete an EY2 form?

If you want to become part of an Ofsted-registered childcare organisation you may need to complete an EY2 (application) form.

Blog

## Ofsted: early years

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[Come to my early years](#)

Yvette Stanley, Ofsted's National Director for Regulation and Social Care; Jayne Coward, Deputy Director, Early Years Regulatory Policy and Practice; and Alex Deane, Deputy Director, Early Years Regulatory Policy and Practice, discuss Ofsted's new early years framework.



## The Holiday Activities and Food programme - when you need to register with Ofsted

[Jayne Coward, Deputy Director for Early Years Regulatory Policy and Practice](#), 19 March 2024 - [Early years](#)



The [Holiday Activities and Food \(HAF\)](#) programme is funded by the Department for Education (DfE). The aim of the programme is to help families with enrichment activities and food for children throughout the holiday periods. The programme is for children who receive free school meals, although providers are encouraged to make it open to all. HAF providers are encouraged to check if they are required to register with Ofsted.



Questions?

# Thank you

— ...



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