



CHILDREN ORDER

## The Children Order

A Guide to help you  
with registration

The Children Order  
Child Minding and  
Day Care

COG 8

## **The Children Order – Child Minding and Day care**

### **Introduction**

This booklet is intended for those interested in becoming a child minder or in providing day care. If you want to become a child minder, set up a day nursery, playgroup, crèche or holiday playscheme, this booklet will help understand the Health and Social Care Trust's (social services) registration procedures.

The purpose of registration is to protect children, promote good standards, reassure parents and help child minders and day care providers to offer a good standard of service to children and their parents.

Under the Children (Northern Ireland) Order 1995, child minders and day care providers are required to register. The person providing child minding or day care services will be registered. Separate registration is required if the same person provides day care in more than one place.

If you apply for registration you need to understand what the process involves, what is expected of you and what to do if you are dissatisfied with decisions reached or any condition applied.

### ***Who is required to register?***

The following people are required to register:

- People running day care services, used by children aged under twelve and open for more than two hours a day. Day care services include facilities such as day nurseries, play groups, out of school clubs, holiday schemes and crèches. People who run these services are required to register whether or not they receive payment.
- Child minders who look after children aged under twelve for more than two hours a day in a private house for reward.

### ***Who is not required to register?***

Under the Order, day care includes supervised activities, but people who provide some types of supervised activities are not required to register. In general these are activities provided by uniformed organisations, religious activities, leisure and recreational activities, activities occurring mainly in schools or designed to enhance a child's skills and attainments and educational tuition.

However, not all these activities are excluded and you should contact social services for advice on whether you are required to register.

### ***How do I get information about the procedures in my area?***

Social services will have information booklets and leaflets to help you understand their procedures.

You can get them from your local library or social services office. These booklets will give you details about:

- how to obtain an application form;
- the timescales involved once you apply;
- sources of information from other Departments;
- the references you will require for registration;
- the registration process;
- the appeals system.

### ***How long will registration take?***

Social services should tell you how long it is likely to take when you apply. The whole registration process should take no longer than three months for child minders and organisers of playgroups and six months for day nurseries and other services which are open all day. It may at times be quicker. You should be told if it is going to take any longer and why.

***Do I have to pay a fee?***

No.

***Do I need specific qualifications?***

The law does not require you to hold specific qualifications before you apply for registration. However, social services have to satisfy themselves that you are a suitable person to look after other people's children aged under twelve, before they will register you. They will, however, take account of your previous experience of children, together with any training or qualifications you have. Social services will have policies on the qualifications which they expect of people who want to set up particular facilities. For instance, people who want to run a day nursery are generally expected to have a qualification in child care or a similar field such as nursery education.

***Will I have to do some training?***

Some social services offer pre-registration briefing sessions. These offer an opportunity for you to discuss with others what is involved in either running a day care service or being a child minder. Social services may suggest that you would find it useful to have some training on a particular subject like first aid, but they cannot insist that you attend a training course before you can be registered. Once you are registered, you may want information about refresher courses in your area, so that you can update your skills and offer an even better service for children and their parents.

***What about previous experience?***

Many people are eager to put their years of experience working with children to good use. You should tell social services about all your relevant experience. This will help them to decide about your application for registration.

***What about equipment and toys and their safety?***

Some social services and voluntary organisations run equipment loan schemes. There are some toy libraries set up specifically for child minders to use, which give children access to a greater variety of toys, and help you plan a wider range of activities. You should ask the registration officer, who is employed by social services, for information about resources in your area.

The registration officer will want to check that the equipment and toys you propose to use meet whatever safety standards have been set up for them. He or she may also talk to you about your arrangements for keeping equipment and toys in a good state of

repair and for seeing that they are appropriate for the age and stage of development of the children who will use your service.

### ***What about checking a child minder's home?***

The registration officer will visit your home to check that it is safe and welcoming for children aged under twelve. He or she will discuss a number of matters with you, including safety measures (for example in the kitchen, garden or other parts of your home, where children are likely to be), household fire precautions (such as smoke alarms) plus practical arrangements for rest periods etc. Parents who use a child minder will expect good standards of safety to ensure the protection of their children.

The registration officer's visits are an important part of the registration process. It gives you a good opportunity to ask questions about the items he or she considers relevant to the registration. He or she will be happy to spend time discussing your queries and telling you about other services in your area, such as the Northern Ireland Childminding Association or one of their local child minding groups.

### ***What about checks on non-domestic premises?***

The registration officer may make more than one visit to check on safety aspects as well as the way in which you propose to use the rooms or space. Social services can give you their space guidelines which are based on guidance issued by the Department of Health. The organisation of the available space is as important as the size of the premises, therefore, the space guidelines are not used in a rigid way. Social services will wish to be flexible and reasonable. Visits give you the opportunity to ask questions. The registration officer will be happy to spend time discussing your queries and plans.

### ***What about staffing?***

Social services will have approved staffing ratios for different age groups which are based on guidance issued by the Department of Health. You can expect the registration officer to spend quite a lot of time discussing staffing with you. This will include talking about qualifications, training and experience for your staff. You should make sure that you are given a full explanation about the decisions on staffing.

### ***Your Registration Certificate***

Once social services have decided to put your name on the register, you will be sent a registration certificate. This will include details of any conditions attached to the registration. This must include reference to the maximum number of children, safety matters, the records which you must keep of the children, the numbers of staff and the need to report any changes to social services. The Children Order gives you the right

to appeal against social services' decisions on your registration. This includes refusing or cancelling registration and the conditions placed on your registration.

### ***How do I appeal?***

You will receive written notice of any decisions reached or conditions imposed by social services. If you are dissatisfied tell social services that you want to appeal.

The Children Order says that first of all you should present your case to a panel set up by social services. This gives you a chance to tell social services why you are dissatisfied with their decision. The panel will look into your case. They can uphold your appeal. If they agree with social services' decision and you remain dissatisfied you can appeal to the courts.

### ***What can I do, if I do not want to appeal, but I am unhappy with the way my registration was dealt with or if the delay in registering is unacceptable?***

You can use the social services' complaints procedure. This includes the right to ask for your complaint to be considered by a review panel chaired by an independent person, if you are not happy with social services' initial response to your complaint. Social services may have panels made up of social services staff and independent people to look into complaints about registration. Social services will give you information about these systems.

### ***Will the registration officer visit after I am registered?***

Social services are able to give advice and help if you need it. Some may wish to arrange a visit to you after you have been on the register for a short time to give you a chance to discuss how everything is going and answer any queries which have arisen since you registered. They may also make unannounced visits to assess how the service is progressing.

### ***What about inspection?***

The law requires social services to make an inspection of everyone on their register of day care providers and child minders at least once a year. They have to notify you in advance about the inspection visit.

### ***What does inspection involve?***

The inspection officer will look at your home or the premises you are using, the equipment and consider staffing issues to see whether there have been any major changes since you were registered. He or she will want to be satisfied that the children are happy and well cared for. He or she will look at the records the law says you must keep. During the inspection you should feel free to ask questions which you feel are relevant to the inspection. You will be sent a copy of the inspection report.

The social services staff registering or inspecting day care and child minding facilities will be able to give you some names and addresses of support organisations or other agencies or Departments who may be able to assist you. Further information may be obtained from social services or:

***Northern Ireland Childminding Association***

Telephone 028 9181 1015

***Early Years – the organisation for young children***

Telephone 028 9066 2825