setting up a childcare provision

an Early Years Alliance mini guide

Providing high quality care and education for young children is enormously rewarding. It provides a much-needed service for local communities and, most importantly, makes a huge difference to the development and well-being of children. This factsheet provides a brief overview of the key factors involved.

Researching the need

It is important to assess what the demand for a new childcare provision

Create opportunities to talk to parents informally, for instance, in local baby and toddler groups, libraries or through surveys.

Childcare audits carried out by every local authority identify what type of provision is in the local area and what funding is available.

The *Childcare and Early Years Survey of Parents* (DfE, 2018) gives information on parents' use of childcare and their views and experiences.

Your local Family Information Service can give you lists of other providers in the area with their hours of operation.

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e legal structure has to be determined from the tset as this denotes the 'person' in law sponsible for all manner of legal transactions, such taking out a business loan or lease, registering th Ofsted and employing staff.

Charitable incorporated organisation (CIO)

A CIO is most suited to charities with small to medium sized assets and liabilities; this would be applicable to most charitable childcare providers. A CIO has its own legal identity and can enter into contracts and incur liabilities directly rather than requiring trustees or members to do this on its behalf.

Partnership

A partnership is when two or more individuals share the responsibility for the management and profit of the business.

Limited liability partnership (LLP)

A limited liability partnership is similar to a normal partnership, but with the additional benefit of limited personal liability.

Limited company

A limited company is a legal body in its own right and is separate from the board of directors who run and manage it. There are different types of limited companies, for example, a private company limited by guarantee, a private company limited by shares, a public limited company and community interest company; all of which must register with Companies House.

Financial viability

All providers must maintain and keep accurate financial records to produce end-of-year accounts.

Childcare providers can register with their local authority to claim funding to provide part-time early years education places for three and four-year-old children, and eligible two year old children. Providers may offer the funded places as 15 hours a week, either as five hours over three days or three hours over five days. Some three and four-year-olds will also be eligible for a 30 hours funded place. You can register to provide for this at www.childcarechoices.gov.uk. Parents are not charged for the funded hours but the cost of any additional sessions is covered by parents.

Charities may be able to access grants from charitable trust funds in order to set up and can often support their income through public fundraising.

Ofsted registration

Childcare providers looking after children under the
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childminding provision, Ofsted will check the suitability of the childminder, as well as anyone aged 16 years or over living or working on the premises.

Ofsted will also visit to inspect the premises and equipment used by the provision to ensure that it is suitable and safe for the children.

Early Years Foundation Stage (EYFS)

The *Statutory Framework for the Early Years Foundation Stage* (DfE, 2017) is a mandatory framework for all Ofsted registered childcare providers and schools caring for children from birth to five years. It was developed to ensure that all childcare services provide a safe and secure environment for children and support children's learning through carefully planned play activities that are fun and appropriate to their needs.

The Learning and Development Requirements ensure that children acquire the knowledge and understanding, and develop the skills and processes that they need, and that providers make appropriate observations and assessments to determine the children's achievements. The Safeguarding and Welfare Requirements of young children ensure that practitioners provide for the safety and well-being of the children in their care. Ofsted inspectors regulate and inspect childcare provision against the outcomes of the EYFS and have the power to refuse registration or close a provision if it does not meet the requirements.

Premises

Childcare may be provided on domestic premises (for example, in the home of a childminder) or on non-domestic premises (such as a pre-school in a community hall or nursery on a school site). The premises that you operate from must comply with the EYFS requirements.

Childminders will need to confirm with their landlord or leaseholders that they are able to run their childminding business from home. This may mean negotiating the rental/leasehold agreement.

In choosing premises you will also need to consider whether the building is in a good state of repair, if it is safe and secure for the children, whether appropriate toilet and kitchen facilities are available, whether the premises are easy for families to get to and whether they are accessible to children and adults with disabilities. Children must have access to outdoor play, so do not forget to take into account the outside play space. Where no outside area is available, you will need to ensure that children still take part in outdoor activities on a daily basis.

When sharing premises with other users, you will need to check that you can have sole use of the part of the premises used by the children during your hours of operation. It is also useful to determine whether equipment or children's work can be left out. Alternatively, if you are planning a new building or adapting and using an existing building for a different purpose, you will need to seek planning permission.

Equipment

The environment should be regarded as a tool for supporting the children's learning and development. Activity areas should be developed to attract the children's interest and stimulate learning in all aspects of the curriculum, with carefully selected resources to offer open-ended opportunities for play. The space and activities should reflect and promote positive images of diversity, encourage children and adults to enjoy playing and interacting with each other, while promoting children's independence.

The equipment should be of good quality and condition, and safe for the children to use. Toys

preparing food must also receive food hygiene training.

Data Protection

Under the General Data Protection Regulation (GDPR) you will need to put systems in place to ensure any personal data you collect is securely processed, stored and destroyed. You will also need to issue those whose personal data you collect, such as parents, employees and volunteers with a privacy notice.

Insurance

Childcare providers must have adequate insurance cover. Some forms of insurance are required by law or for Ofsted registration, such as public liability insurance and employers' liability insurance (where applicable). Others are not legally required but are still necessary because they provide protection for the provision and for those that use and are responsible for it.

Safeguarding and child protection

Every provider is required to have and implement a safeguarding children policy and procedures which follows the guidance and procedures of the local

For the benefit of all staff and families, equality and inclusion must be embraced throughout your provision. The Equality Act 2010 requires childcare providers to ensure their policies, procedures and practices promote equality of opportunity and prevent discrimination towards children and adults in the provision. This includes making reasonable adjustments to ensure that you do not make it difficult for disabled children and adults to make use of a service. You will need to consider how you can create an environment where everyone feels equally valued and included, and no-one is discriminated against, in order to provide the children with the opportunity to learn to respect and value people who are different to themselves.

Providers also have a duty to regard the *Special Educational Needs and Disability Code of Practice* (DfE 2015) when meeting the needs of children with special educational needs and disabilities and developing a special educational needs policy. The code of practice highlights how childcare providers should provide a consistent approach to identify, assess and provide for children with SEND. Each provider should also have a designated Special Educational Needs Co-ordinator, who is responsible for co-ordinating the provision for children with SEN.

Joining the Early Years Alliance

The Alliance represents the interests of over 14,000 members. We offer information and advice, produce specialist publications, run acclaimed training and campaign to influence early years policy and practice.

There are many benefits to becoming a member:

- over 20 Cache-endorsed online training courses
- On-call information and support
- access to our comprehensive and competitively priced insurance scheme
- free 24-hour legal advice helpline
- 20% off our range of specialist publications
- *Under 5* magazine 10 times a year, covering issues affecting the childcare sector
- exclusive online members' area to download a range of mini guides, plus much, much more!

Further information

Essential Policies & Procedures for the EYFS (Pre-school Learning Alliance, 2018)

Recruiting Early Years Staff (Pre-school Learning Alliance, 2016)

People Management in the Early Years (Pre-school Learning Alliance, 2016)

Safeguarding Children (Pre-school Learning Alliance, 2013)

SEND Code of Practice 2014 for the Early Years (Pre-school Learning Alliance, 2014)

Guide to the Equality Act and Good Practice (Pre-school Learning Alliance, 2015)

To order Alliance publications, please visit