Isle of Man Government

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Childminder information and guidance on Making an application for Registration

Registration & Inspection Unit

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Department of Health and Social Care

Rhyenn Slaynt as Kiarail y Theay

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CHILDMINDING - IS IT FOR YOU?

This booklet gives you the information you need before making an application and tells you what to do next.

What is a Childminder??

A childminder is a person who looks after one or more children under the age of eight for more than a total of two hours a day at a private dwelling (other than the child's own home), for reward ('private dwelling' normally means your home. 'Reward' can be money or payment in kind.

A register about registered persons and responsible persons for care services is kept by the Department of Health and Social Care; this register is subject to access by the public.

Does everyone who looks after children need to be registered?

No. You **do not** need to register as a childminder if you:

- Are the parent or relative of the child you are looking after.
- Have parental responsibility for the child.
- Are an official foster parent in relation to a child.
- Look after the child wholly or mainly in the child's own home.
- Look after children for two sets of parents wholly or mainly in the home of either or both sets of parents.

You do need to register if you are:

- Looking after one or more children under the age of eight years in your own home for reward.
- Looking after children under eight years for more than two hours in any one day.
- Working in partnership from a private dwelling looking after one or more children under eight years for reward.

If you act as a childminder without being registered, it could lead to prosecution.
If the DHSC has evidence that you are childminding (within the definitions laid down in the Act) and you are not registered then you are committing an offence and must cease childminding. The Department may give you a 'disqualification notice' which prohibits you from being registered for the period of 1 year. (Regulation of care Act 2013 section 46(3).

What qualities and skills will you need?
Experienced childminders have suggested the following:

- To be able to listen
- To be assertive
- To be professional
- To be tolerant and kind
- To be clear thinking
- To have a sense of humour
- To be sympathetic
- To be healthy and energetic
- To be unflappable
- To be considerate

WHAT ABOUT YOUR FAMILY - Things to consider

As a childminder you will be working in your own home and this can involve:

- The house looking like a nursery, cafeteria or play centre.
- Big changes in routine for everyone.
- Fitting family and social life around childminding.
- More responsibility for other adults and children.
- Phone bills and other bills will be higher.
- Initial money will be used to buy toys and equipment.
- Early morning starts and late night finishes.
- Possibly working long hours.

As a family you need to discuss these issues and consider the benefits and/or problems childminding might bring into your home life.

Most childminders agree that the main areas of daily family life affected by childminding include:

- Jobs to be done and who does them.
- Time and the lack of it.
- Relationships, how you and your family get on together.

Involving your family in childminding is very important. If they feel involved they are more likely to support you in your work.

WHAT ABOUT THE PARENTS?

As a childminder you will expect to work closely with parents but establishing a relationship can sometimes be difficult. Childminders can feel they are 'on show' and being judged, but parents may feel awkward too.

Whilst childminders are advised to have more than one meeting with prospective parents before making a decision about taking on children, parents are also advised to visit a few different childminders and spend time with their chosen childminder to settle their child before leaving them.

To help you at the first meeting you might like to consider the following advice from experienced childminders:

- Try to be yourself.
- Try to put them at ease and reassure them.
- Find out what they want.
- Tell them what you want.
- Explain business issues but don't rush the paperwork.
- Show that you are genuinely interested in them and their child and try to make them feel important.
- Be totally honest with them.

- Make sure you know what will happen after the meeting and who will get in touch next. Parents should give you a date when they will let you know if they want to work with you.

The Professional Association for Childcare & Early Years (PACEY) recommend three or four meetings with the parents and child before the childminding arrangement starts. As a childminder you will have to use a written contract for each child in your care. Sample copies of all the forms you need will be given upon receipt of your application and fee in the form of a Childminder Pack. However, your actual working arrangements can go beyond a written contract, and how much you can give to your relationships with parents depends on many things. Keep an open mind, and if you start from the basis that all parents care about their children, and want the best for them, you will have a firm foundation for a working partnership.

Remember:

- Keep talking to the parents and keep each other informed.

- Be business like then everyone will know where they stand from the start. It will also reinforce that you take your job seriously.

- Keep on top of the law (e.g. who should you allow to collect the child, what are your responsibilities).

- What arrangements will be made if you are ill?

- Know the boundaries of your relationships, (friendships with parents can be positive but if things go wrong and the friendship is not backed up by clear arrangements, you as a childminder are vulnerable).

- Childminders are self-employed and as such charge a fee for day care services provided. These arrangements are between the childminder and parents/guardian and should be agreed and made clear before the start of an arrangement.

  There are no hard and fast rules that make relationships successful, perhaps the key factor to remember is to find time to communicate with parents.

WHAT MUST I DO TO BECOME A CHILDMINDER?

Registration Enquiries

Initial enquiries are dealt with by directing the applicant to our website for the guidance and application forms.

Application forms can be downloaded from the 'application form' tab on the website: https://www.gov.im/about-the-government/departments/health-and-social-care/registration-and-inspection-unit/registration-application-forms/

Should you not have access to a computer you can contact the Registration and Inspection who will be able to send you the forms, telephone number 642422.

THE VETTING PROCEDURES

Suitability for Registration

The registration process is subject to essential 'suitability' criteria to determine whether persons and services are suitable to operate. The Registration and Inspection Unit will use information from the application to check:

- Suitability of premises – that premises are fit for the purpose of the service.

- Suitability of services and facilities – that the service and facilities (including policies and procedures) are suitable and safe and meet the needs of the service recipients as interpreted through regulations and accepted standards.

The registration process has been designed to assess each application against these criteria. The process includes checks on their character using employment or personal references, medical opinion and Disclosure and Barring Service (DBS) checks. An inspection or pre-registration visit to the proposed service. The applicant will not be registered until the Registration and Inspection Unit is satisfied of their suitability.

In order to become registered, the applicant must demonstrate how they will meet legal requirements, regulations and accepted standards. The applicant will be advised of any required improvements to be made and wherever possible will allow time for those improvements to be made, where it is considered that services/proposed services will fall short of legal requirements.

The Registration and Inspection Unit can refuse registration where it is clear that it will not be possible for all the legal requirements to be met or where there are concerns relating to any of the suitability criteria. In some cases registration may be granted but with specific conditions attached. In all circumstances there is a process of appeal against decisions of the Department.

DBS - Persons registering as or involved in the registration of a childminder are exempt from the Rehabilitation of Offenders Act 2001. Therefore such persons are required to declare any pending prosecutions or convictions they may have, even if they would otherwise be regarded as spent under this Act, and any cautions or "bind-overs". The information you give will be treated in confidence and will only be taken into account in relation to an application where the exemption applies. Information received from the police will be kept in strict confidence. R and I retain your DBS certificate number, the date of issue and the date seen by R and I.

The disclosure of a criminal record or other information will not necessarily prevent you from registration. In making this decision the Registration and Inspection Unit will consider the nature of the offence and any other factors which may be relevant. Failure to declare a conviction, caution or bind-over is considered to be a serious matter. It could prevent your registration or be the reason subsequently for cancellation if it is discovered you failed to disclose a material fact.

Qualifications/Training

Although you do not need any special qualifications to be a childminder, you are expected to attend the 'induction talks' arranged by the Registration and Inspection Unit. This may commence prior to registration. Registration and Inspection Officers will arrange these courses and further training opportunities. Through these, you can meet other childminders to share ideas and to improve the quality of your childminding.

Induction talks:

- Child development and Managing behaviour.
- Safety in the work place
- Health and hygiene.

On completion of all talks a certificate will be issued.

You will also be expected to hold a relevant/current First Aid certificate to be obtained at your own expense.

You will also be expected to have attended or booked on the safeguarding course.

Making an application

1. The application forms to be completed are:

(a) Childminder applicant

- **Application for Registration – Individual/Partnership/Body Corporate** – This form to be completed by the childminder applicant. Please also read the notes to help with the completion of this form.

This form is to be returned in person (by appointment) to the Registration and Inspection with:

- A recent passport sized photograph of the applicant.
- Original certificates relating to your relevant qualifications these will be copied at your application appointment (if applicable).
- If applicable, a copy of approval letter from the landlord of rented/Local Government Board/Local Commissioners premises.
- Application fee. Cheques should be made payable to the Isle of Man Government. Please note that the application fee is non-refundable if you are refused registration or withdraw your application.
- Documents that are required to accompany an application as listed in the Regulation of Care (Registration) Regulations 2013. A list of these documents are detailed below in (c).

- **Medical opinion form** – Applicants should complete this form and take it to their General Practitioner to complete, you will need to bring this completed form with you as part of the registration paperwork. The applicant will be responsible for any costs incurred.

- **Disclosure and Barring Service (DBS) check** - to be completed by all applicants. Please contact the Registration and Inspection Unit for a DBS form as these are not currently available online. The current DBS application fee for an enhanced check is £44.00 (cheques should be made payable to the Isle of Man Government). This is separate from the registration fee.

Please note: Applicants are required to produce in person, formal identification e.g. passport, birth certificate or driving licence for verification of identity, proof of address (e.g. recent utility bill, bank statement). Also, if applicable any formal documentation showing change of name e.g. marriage certificate, divorce papers and/or deed poll papers. This proof of identity is required before Registration and Inspection Unit can forward a DBS check to the Department of Home Affairs and commence Social Services background checks.

(b) Any other person aged 16 years or over:

- Who lives at premises where childminding takes place or is to take place?
- Who is employed at premises where childminding takes place or is to take place (but not looking after the children)?
- Who has substantial access to premises used or proposed to be used for childminding whilst childminding takes place.

- **Authorisation – Persons over 16 – Childminder –** This form to be completed by any person over 16 as detailed above.

- **Disclosure and Barring Service (DBS) check** - to be completed by all other people in the household as above. Please contact the Registration and Inspection Unit for a DBS form as these are not currently available online.

Please note: Any other persons are required to produce, in person, formal identification e.g. passport, birth certificate or driving licence for verification of identity, proof of address (e.g. recent utility bill, bank statement). Also, if applicable any formal documentation showing change of name e.g. marriage certificate, divorce papers and/or deed poll papers. This proof of identity is required before Registration and Inspection can apply to the Department of Home Affairs for a DBS check.

(c) List of additional documents to accompany an application for registration

- Where applicable, a copy of the lease of the premises of the care service.
- Where applicable, a certificate of lift safety.
- The statement of purpose of the care service. Please reference the Regulation of Care (Registration) Regulations 2013, Schedule 3 Part II which details the information to include.
- First Aid Certificate (or evidence that an application for a course has been submitted).
- Safeguarding training certificate (or evidence that an application for a course has been submitted).

2. Registration application fees

Childminder registration application fee is £75.00. Childminder annual fee is £50.00. The first annual fee payment is due one month after registration. The fees are set by Government's Treasury section and a copy of the latest fees can be found on our webpage. https://www.gov.im/about-the-government/departments/health-and-social-care/registration-and-inspection-unit/fees-for-all-care-services/. NB: Registration from October to March will not incur an annual fee in the first year. The fee is due the following April.

You will need to complete all the forms and bring them in person to the Registration and Inspection Unit with the required supporting documents and identification documents and relevant fee. Please phone the unit on 642422 to arrange an appointment to come in with your documents. Persons over 16 will also need to come in at this time.

3. What happens once I apply?

Once you have submitted application forms and application fee, Registration and Inspection Unit officers will carry out checks to help establish whether you are suitable to look after children. These include health and any criminal record and Social Service checks. You cannot look after children until you receive your registration certificate providing you are a registered childminder.

As well as the checks mentioned earlier, a Registration and Inspection Unit officer will visit your home to check whether it is suitable, safe and ready for children to be looked after. You are required to read the childminding standards and implement any safety precautions prior to this visit.

You will also receive a visit from a Fire Safety Officer and maybe an Environmental Health Officer (see Food Hygiene Regulations overleaf).

Incomplete application forms
The Registration and Inspection Unit may return the application forms if they are not completed satisfactorily. If you are unsure about anything you can speak to a member of the Registration and Inspection Unit, telephone 642422 Monday –Thursday 9am – 5.00 pm Friday 9 am to 4.30 pm for advice on completing the form if there is anything you are unsure about.

What happens with the forms?
On signing the application forms the childminder applicant and any other person aged sixteen or over give Registration and Inspection Unit permission to carry out checks with the following:

a) Department of Health and Social Care Social Services.
b) Health visitor.
c) The DBS Barred Lists held in the UK.
d) International Social Services.
e) The Disclosure and Barring Services.
f) Referees.
g) Previous employers.

The Registration and Inspection Unit may also contact other organisations where it believes it to be necessary in order to reach an opinion as to the suitability of an individual, including the National Society for the Prevention of Cruelty to Children (NSPCC). The Office for Standards in Education, Children's Services and Skills (Ofsted). The Probation Service, Work Permit Office, Immigration Service and may also check the Electoral Roll.

The Applicant's Responsibilities

1. **Childminding Minimum Standards and Regulation of Care Regulations**
   Under the provisions of the Regulation of Care Act 2013 childminders are required to meet the standards as identified in the document entitled Childminding Minimum Standards produced by the Department of Health and Social Care. Please refer to the 'Legislation' section in this booklet which details the link to the standards on the Registration and Inspection webpage.

2. **The Standards require registered childminders to comply with the requirements of other agencies**.

   These include requirements concerning:

   - Food hygiene and health and safety regulations.

- Planning and building control regulations.
- Fire safety regulations.

You should ensure that you are able to meet these requirements.

Food Hygiene Regulations
You can obtain advice on food safety from the Environment Safety and Health Directorate. You are required to apply to them to register for handling food. This can be made after your childminder registration goes through and you can contact DEFA on 685894.

Health and Safety Regulations
A registered childminder will be responsible for the health, safety and welfare of the children minded. Therefore they must be aware of all relevant legislation, details of which will be found in the document entitled "Childminding Standards". This document must be read carefully and appropriate actions taken.

Planning and Building Control Regulations
The planning department do not normally require planning approval for childminding. However, planning approval may be required in some circumstances for example, if you want to mind more than six children under eight or more than three pre-school children working with an assistant or other registered childminder or to have more than six children on the premises at any one time under the age of sixteen years including your own children. You should check with the Planning Department to establish whether planning approval is required.

Fire Safety Regulations
The Registration and Inspection Unit will advise the Fire Safety Officer of childminding applications and request they carry out an inspection of the premises. Information regarding fire safety in the home can be obtained from the Fire Safety Officer during their inspection who can offer advice if you have sleeping babies above the ground level floor.

First Aid
You should have attended or be booked on a first aid course that specifically covers children.

3. Adults Living/Working at the Premises
Any person living at or having substantial access to premises where childminding is to take place must complete the appropriate application form issued by this department. Completion of these forms allows this department to carry out certain checks. The information will be obtained in connection with the registration of a named childminding applicant and this registration may be refused or cancelled if false information is given, relevant details have been withheld or any checks carried out are found to be unsatisfactory.

4. Employment of an Assistant to Look after the Children
The childminder is accountable for, and supervises the work of, any assistant. The childminder must be satisfied that the assistant is competent in the areas of work undertaken. The childminder must keep a record of any assistant's details including any references taken up, DBS checks, information about training and qualifications which must be readily available for the inspector to view.

5. Work Permits
The Control of Employment Act 2014 requires anyone who is not an 'Isle of Man Worker' to have a permit before starting self-employment in the island. For further information on the definition of an 'Isle of Man worker' and how to apply for a permit please contact the work

permits office on 687024. Full details are also available on the Government website, https://www.gov.im/categories/working-in-the-isle-of-man/work-permits/.

6. Records

A sample information pack will be issued to applicants when an application for registration has been submitted; this pack will include: sample contracts, accident forms, administration of medicines forms etc. These forms can be photocopied and used as and when required or you may wish to devise your own.

7. Safeguarding

You should have attended or be booked on a safeguarding course which is run by the Isle of Man Government Learning Education and Development LEaD the Lodge Strang Braddan, Tel 686142. www.gov.im/hr/learninganddevelopment/.

What happens next?

1. A Registration and Inspection Officer will make an appointment for a registration inspection.

The main purposes of the visit are:

- To make sure that the premises are suitable, safe and ready for children to begin attending.
- To discuss all aspects of the Childminding Minimum Standards document and assess the applicant's ability to identify and minimise possible risks to the health, safety and welfare of minded children.
- To assess the number of children the applicant may be registered to care for.
- To discuss with the applicant any issues arising from the application form and documentation'.

2. You may get an action sheet detailing any work to be carried out prior to registration.

It may be necessary for more than one home visit to be made before registration. Reading the Childminding Minimum Standards should help you prepare for these visits.

3. The results of all checks carried out will be considered by the inspector in assessing the suitability of persons to child mind. The inspector may require persons to attend an interview following these checks in order to obtain further information or clarification.

The Registration and Inspection Unit will look at the suitability of the persons that you choose to assist you and/or any persons aged sixteen or over and living/working on the premises when reaching a decision about your registration.

A Registration and Inspection Unit officer will establish as to the outcome of the check as regards suitability of an individual who has made an application to assist or who lives on the premises once checks have been carried out.

The Registration and Inspection Unit will inform the applicant of their intention to grant or refuse registration.

Please note that if an applicant is withdrawn or refused, the application fee will not be refunded.

Deciding applications

Registration and Inspection can only grant registration if satisfied (a) the registration criteria have been complied with (b) to the extent the person is suitable for childminding, will continue to be suitable and (c) the applicant will continue to comply with the other registration criteria.

The Registration and Inspection Unit inspector will prepare a report and make a recommendation to enable the Senior Inspector/Head of the Registration & Inspection Unit to approve the application.

Sometimes it is necessary to place conditions on a registration and most frequently these will be agreed with the applicant. These are noted as "agreed conditions". This agreement must always be in writing from the applicant. Once received registration can be granted by issuing a Notice of Decision to grant or amend registration together with a certificate which must show the decided conditions.

Sometimes it may be necessary for the Registration and Inspection Unit to "propose" to refuse an application to register, or to impose decided conditions when agreement cannot be reached, or there is dispute with the applicant. A Notice of Proposal is issued. Before a decision is taken the applicant will be able to make written representations to the Registration and Inspection Unit within 21 days. Written submissions must be considered. It is possible to reconsider proposals when additional assurances are received from the applicant. The applicant can also change their mind and decide to accept the imposed conditions and in such instances we revert to the "agreed conditions" step above.

If it is decided to impose conditions or to refuse a registration application, a Notice of Decision is issued. This allows for the right to appeal when the matter can be heard by the Care Services Tribunal who has the power to uphold the decision, uphold the appeal or make a different decision. https://www.gov.im/registries/Tribunals/care_services.xml

If the registration is granted a certificate of registration will be issued. This is your proof of registration and must be displayed on the premises. The certificate will contain the registered person's name, registration number and any conditions of registration.

Remember that opening your service without registration is an offence which could lead to the refusal of your application to register, render you liable to prosecution, a fine as well as disqualification.

Withdrawing an application

If during the registration process an applicant wishes to withdraw their application to be registered as a service provider they must put this request in writing to this Unit. An application cannot be withdrawn if a Notice has been served refusing registration. This will not affect an applicant's right to make an objection or an appeal against the decision. The application fee will not be returned.

FAQ - YOUR QUESTIONS ANSWERED

Are applications to become a Childminder ever refused?

The Department of Health and Social Care can refuse to register you if:

- Following results of the routine checks, you are not considered suitable to be a childminder.
- Other adults in your home are considered unsuitable to be in the proximity of young children
- Your home is not suitable.

If the Registration and Inspection Unit refuses registration you have the right of appeal.

How many children can I look after?
Depending on available space you can look after up to six children under the age of eight (including your own). Of these, no more than three children can be under the age of five. You may be able to look after more children if you employ an assistant or work with another childminder. This will be subject to planning approval for change of use to a child day care setting within domestic premises. The space available in your home will affect the number of children you can be registered for.

Is there a minimum/maximum age for childminders?
The minimum age for a person to register as a childminder is eighteen (18).
There is no maximum age limit.

How long will it take to get registered?
The Registration and Inspection Unit aims to process your application as quickly as possible within a six month period of receipt. In exceptional circumstances, which may be beyond our control, this may take longer; in such cases we will keep you informed of progress.

What do I charge?
This is a private arrangement between you and the parents. It will depend on the service you provide. It may be useful to contact local childminders to find out what the average rate is.

If I live in a flat and/or have no garden can I register as a childminder?
Yes. When we come to see you, we would ask what plans and arrangements you have for taking the children out.

Can I become a childminder if I live in rented accommodation?
Yes. Only if the landlord gives written approval for the use of the premises for a childminding business.

Can I provide cooked meals for the minded children?
This should be discussed with the Environmental Health Officer. Most childminders ask parents to supply a suitable packed lunch.

How will parents know that I am registered?
The Registration and Inspection Unit currently hold a register of all persons registered including childminders. Parents who enquire about a childminder can check the Registration and Inspection Unit website where childminders are listed in their areas.

With regards to inspection reports of childminders, Registration and Inspection have a webpage to which people requesting childminders in their area will be directed to, and where people using childminder services can read inspection reports.

If a childminder does not wish for their contact details being on the Website a unique reference number will be allocated so that people may access their inspection on the webpage. https://www.gov.im/about-the-government/departments/health-and-social-care/registration-and-inspection-unit/inspection-reports/

As a registered childminder you will be required to display your certificate of registration in your home.

Can I leave minded children with my partner, mother, friend or neighbour?
No. You are the registered carer.

Is it OK to take minded children out?
Yes. We encourage you to arrange outings and trips to local areas e.g. park, beach, library or a local toddler group etc. with written parental approval.

If I take a child to playgroup or toddler group, who pays the fees?
You must discuss this arrangement with the parents when completing the contract.

How do I know what toys and equipment to buy if I don't know the ages of the children I will be caring for?
You are expected to have a basic supply of equipment which can be used by most children e.g. Books, construction, paint, sand, water, playdough etc. It is then expected that the range of toys and equipment will be gradually extended when you begin minding.

What about Tax and Insurance?
Childminders are self-employed and as such are responsible for the arrangement of charges, hours and conditions with the parents of the children, and, in addition, are also responsible for the recording of any income and expenditure for Tax and National Insurance purposes.

What about my pets?
You can have pets, however any animals on the premises must not pose a health risk to children. Parents must be informed of the arrangements for your pets during childminding times.

Smoking
You must inform parents if there are smokers in the home. You and any others in the home must not smoke in the presence of minded children.

Insurance
You must inform your 'home insurance' provider that you are running a business from home. You must obtain 'public liability insurance'. It is important that you are insured against liability for accidents to the children in your care and any damage that they might do to someone's property.

THE ROLE OF REGISTRATION AND INSPECTION

Regulation is concerned with the protection of children and vulnerable adults. Every effort will be made by it to foster co-operative relations with the providers of regulated services with the aim of promoting a high standard of care.

The Registration and Inspection Unit will seek to encourage compliance with legislation and the Registration and Inspection Unit's requirements by means of clear information and advice as to the standards. However, when the requirements are not met the registration authority may exercise its duty under the law to take enforcement action.

It is intended that the Registration and Inspection Unit and the registered provider work in partnership in the interests of protecting and promoting the safety and welfare of the service recipients. The inspector will aim to be constructive, enabling discussion to take place on the operation of the establishment and giving the provider/manager the opportunity to raise matters requiring support advice.

In order to achieve a cooperative relationship, childminders must be fully aware of their responsibilities under registration and be committed to achieving the required standards. There must be trust between inspectors and providers that each is operating correctly within the law.

While the Registration and Inspection Unit will work constructively with childminders who demonstrate a commitment to providing a good quality of care in accordance with the requirements of registration, it will take the necessary enforcement action against providers who operate in breach of requirements, act dishonestly and/or run unacceptably poor quality services.

Enforcement action would normally be taken following serious occurrences or revelations or as a last resort after other attempts to achieve compliance have failed. When enforcement action is taken, the Registration and Inspection Unit will ensure that childminders are informed of their right to make representations and appeal. Registration can be:

- **Amended** if any of the conditions of registration need to be changed.

- **Cancelled** if any of the suitability criteria, regulations or conditions of registration are not maintained.

- **Cancelled** if the annual fee in respect of the service has not been paid on or before the due date.

- **Cancelled** by an urgent order made by the Department if service recipients are deemed to be at serious risk.

- **Cancelled** at the request of the registered provider/person. A childminder must give the DHSC notice to cancel their registration, in writing. The cancellation takes effect immediately the notice is received.

If you have any further questions on the registration process, please contact the Registration and Inspection Unit.

This document can be provided in various formats

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