

Voluntary Suspending Registration Guidance for Providers of Child Care & Play services

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

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1. Voluntary Suspending Registration Guidance for Providers of Child Care & Play Services

The Children and Families (Wales) Measure 2010 (“the Measure”) requires child minders and providers of day care and play services to be regulated by Care Inspectorate Wales (CIW).

The legislation allows for providers to suspend their registration for a period of time.

2. How do I voluntarily suspend my service?

If the registered provider wants to voluntarily suspend their registration they must submit a notification – “Voluntary Suspension of Service” using their CIW Online account.

The provider will need to provide details about the reason why they want to suspend their registration and the length of time (start date and end date) they want to suspend the service.

CIW will consider the submitted information and contact the provider if further details are required.

3. Providing a service after a period of voluntary suspension

After the period of suspension, the full registration process does not have to be completed again. However, the suspension will not be lifted until a number of requirements are met.

Providers must use their online account to notify CIW of their intention to voluntarily suspend their registration, and also their intention to lift voluntary suspension.

A minimum of 5 days’ notice must be given for both processes to be considered and implemented. However, there may be exceptional circumstances where this can be implemented in less than 5 days.

4. How do I lift the voluntary suspension of my service?

When the period of voluntary suspension that the provider has requested is coming to an end the provider is required inform CIW of their intention. This should be done before the end date for the period of suspension.

Options are:

- lifting suspension and resuming the service; or
- extending the period of voluntary suspension, including a new end date.

To do this the provider must submit a notification – “Voluntary Suspension of Service” using their CIW Online account.

When a provider decides to lift their suspension, the online notification requires confirmation that the following requirements are in place before the notification can be submitted: -

- An in date (within the last 3 years) suitable (relevant barred list checked) DBS is in place for the registered person and all other persons aged over 16 years that live or work at the registered premises
- The child minder or at least one staff member at a day care service caring for relevant children has an in date (within the last 3 years) Paediatric First Aid qualification
- There is appropriate and in date insurance cover for the service
- There is an up to date Statement of Purpose in place.

Confirmation that the heating system within the premises has been checked and certified as safe within the last 12 months, including a HETAS certificate for any solid fuel or wood burning stoves, will also be needed.

If the provider does not intend to resume running the service or remaining suspended, an online variation to cancel the service must be submitted using their CIW Online account.

5. What if my service has been voluntary suspended for 3 years or more?

Legislative requirements and best practice for providing a regulated child care and play service are continually changing. After a prolonged period of suspension CIW will need to be satisfied that a provider is still fit to remain registered and offer a good service.

The online process for lifting voluntary suspension is the same. However, CIW considerations for lifting suspension for services that have been suspended for 3 years or more may require submission of the following:

5.1. Documentation

- Child Protection/ Safeguarding Policy
- Behaviour Management Policy
- Complaints Policy and Procedure
- Risk Assessments

Inspectors may request other documents as appropriate to the service, for example a Pet Policy if the Statement of Purpose indicates there has been a new pet at the premises since the registered person was last working.

Car insurance – It is the registered provider’s responsibility to ensure they have adequate insurance cover for any vehicles they may use as part of their business.

5.2. Fit Person process

Medical declaration – the registered person will be required to complete a CIW medical self-declaration of their physical and mental fitness to care for children under the age of 12 years.

The registered person must complete a statement of suitability for themselves and on behalf of all other persons aged over 16 years that live at the premises

(The registered person can contact CIW – ciw@gov.wales – to request the above documents.)

The inspector will consider if it is necessary to undertake a Fit Person Interview.

5.3. Premises

The registered person must request and complete the CIW pre-visit premises checklist and confirm that there has been no change to the premises since they were last working.

If significant building work has been completed since the registered person was last working, e.g. an extension to the property, the inspector will need to see certification of suitability relating to any building work carried out.

For day care services only:

- Confirmation is needed that the electrical system within the premises has been checked and certified as safe within the last 5 years.
- A suitable fire Risk Assessment must be in place.

The inspector will consider if a premises visit needed.

6. What are a provider’s responsibilities whilst their service is voluntary suspended?

First and foremost - voluntary suspension is not the same as voluntary cancellation.

A provider that is voluntary suspended is still legally registered with CIW and the provider still has responsibilities with regard to that registration.

A voluntary suspended provider remains legally responsible for informing CIW of their intentions in relation to their registration status. Any changes to this must be made using CIW Online.

From time to time CIW may request an update on a provider’s ongoing suspension or send information that requires acknowledgement.

It is important that the provider engages with CIW and provides all necessary information in a timely manner. Failure to engage may mean CIW cannot be satisfied that the registered person remains suitable to be registered.

In cases where a provider is failing to engage with CIW, we will instigate the following process:

CIW will try to contact the provider through the personal contact details as most recently provided, i.e. phone number, email address and home address. Over a two month period CIW will try twice in writing via letter/email and twice via phone.

If there is no response, CIW may follow the enforcement pathway and issue a Notice of Intention to Cancel Registration to the most recent address provided by the provider. If there is no response to the Notice within 28 days, we will issue a Notice of Decision. The registration will be cancelled after that 28 days, should the provider not appeal to the Tribunal.

There are serious consequences to cancellation, including being disqualified from registration as a child minder or provider of day care in Wales.

The disqualified person also cannot be employed in connection with the provision of day care or working with a child minder in Wales.

Please tell CIW:

- if you move house;
- if you change your contact details – mobile number, email address, home address;
- if you decide to recommence your service before the end of your requested period of suspension;
- if you decide that you no longer want to remain registered.