# **Overview of changes**

On 1 November, the government is implementing new flexibilities to help childminders join and stay in the profession, supporting the government’s commitment to roll out expanded childcare entitlements and give children the best start in life.

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 3 people in total.

The new flexibilities will:

* Create a new category of childminder (childminder without domestic premises) who work entirely from non-domestic premises
* Increase, from 3 to 4, the total number of people that can work together under a childminder’s registration (including the childminder)
* Give childminders and providers of childcare on domestic premises (CODPs) more flexibility, allowing them to spend more time operating outside of domestic premises, such as a community hall or school
* Increase the number of people needed for CODPs to operate from 4 or more, 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)

# **Frequently Asked Questions (FAQs)**

What changes are you making to the childminder category?

From 1 November 2024, there will be two categories of childminder:

1. Childminder (with domestic premises)
2. Childminder without domestic premises

Childminders who are already registered do not need to take any action in relation to these changes and will be able to benefit from the new flexibilities.

All childminders will be able to work with an additional person (another childminder or assistant) under their childminder registration – allowing up to 4 people to work together in total.

Childminders (with domestic premises) will be able to choose how much time they operate from their home or from non-domestic premises, as long as they spend at least some of their time operating from their domestic premises. This offers them more flexibility – currently they are only able to operate from non-domestic premises up to 50% of the time.

Those childminders who do not want to, or are unable to, work from home can register for the new category: ‘childminder without domestic premises’ where they would operate entirely from non-domestic premises.

What changes are you making to Childcare on Domestic Premises (CODP)?

From 1 November, the numbers for those providing CODP will increase from 4 or more people providing care, to 5 or more people. This is due to the increase in the numbers that childminders will be able to work with (from a total of 3 to a total of 4). The changes will allow those who are already registered as CODP (or applied to register) before 1 November to continue operating with 4 or more people.

What happens for anyone who wants to register as a childminder after 1 November?

These people will have a choice about how they register, depending on how they want to operate.

The new category, ‘childminder without domestic premises’ may suit those who are unable or do not want to work from home (for example, they may not be able to get planning permission or be restricted by others in their household). They will not be able to operate from a domestic premises, including for drop offs and pick ups.

For those who would like to spend at least some of their time operating from a domestic setting (usually their home) they would register as a childminder with domestic premises.

Why are you making the changes?

The changes respond to feedback we heard from childminders and the sector:

* Childminders would like the opportunity to grow their business
* Prospective childminders are prevented from joining the profession due to property barriers
* Some childminders are reluctant to operate from their own home due to the disruption this can cause to family life
* Working with more childminders and assistants can help reduce loneliness and encourage peer learning

How will the changes support childminders?

These measures will give greater flexibility for childminders to expand and grow their business, if they want to, by allowing them to work with more people or spend more time working outside of their homes – or both. The new category of ‘childminder without domestic premises’ will allow people to join the profession who may have previously been unable to – for example, if they are unable to work from their home.

As is currently the case, childminders will continue to be responsible for making decisions about how they run their business, and it will be up to them to decide whether the new flexibilities will benefit their business. This may include considering whether any costs may be offset by increased income from expanding their business to care for more children, or working in a premises that may be better located and/or more appealing to parents.

What changes will you be making to the EYFS to reflect the new flexibilities?

We are making minor amendments to the EYFS to reflect the changes, which will be published on 1 November – these will primarily clarify that the term ‘childminder’ will apply to all categories of childminder.

The Department will also use this is an opportunity to make some clarificatory changes, including around the existing qualification requirements for counting in the staff:child ratios at Level 6.

When will the changes come into effect?

These changes will come into effect on 1 November.

What impact will the changes have on safeguarding and the quality of care that will be provided?

Childminders can already spend 50% of their time operating from a non-domestic premise. They will be able to continue to provide the same high quality provision regardless of the setting they operate from.

Ofsted and childminder agencies (CMAs) will continue to regulate the safety and quality of childcare provision for each category in line with their legislative responsibilities, and will need to approve non-domestic premises.

All childminders will need to comply with the requirements of the [early years foundation stage (EYFS) statutory framework for childminders](https://assets.publishing.service.gov.uk/media/65aa5e29ed27ca001327b2c6/EYFS_statutory_framework_for_childminders.pdf) and/or the childminder requirements of the General Childcare Register.

What changes will you be making to the EYFS to reflect the new flexibilities?

We are making minor amendments to the EYFS to reflect these changes, which will be published on 11 October (tbc) – these will primarily clarify that the term ‘childminder’ will apply to all categories of childminder.

DfE will also use this as an opportunity to make some clarificatory changes, including around the existing qualification requirements for counting in the staff:child ratios at Level 6. This is to clarify that only those with Qualified Teacher Status (QTS), Early Years Teacher Status (EYTS) or Early Years Professional Status (EYPS) can be included in the Level 6 staff:child ratios. This is a clarification of existing policy, and there will be no change to qualification and ratio requirements.

How are you planning to support childminders to find non-domestic premises?

Local Authorities will be able to use their local knowledge to identify where childminders may be able to operate from non-domestic premises.

Will childcare on non-domestic premises (such as nursery provision) be able to change their registration to childminder without domestic premises (new category)?

Yes. If an existing childcare on non-domestic provider can meet the legal definition of childminder without domestic premises, they can choose to make an application to re-register with Ofsted or a CMA.

These changes are being put in place to give childcare providers greater flexibility and to choose a model that works best for them, as well as the children they care for and their parents).

Will the ratio requirements stay the same?

Yes, there will be no change to current ratio requirements.

Where can I find out more information about the changes?

Ofsted and CMAs will be publishing updated guidance soon with information about these changes, to support those who may want to apply for the new category of childminder. Updated versions of the EYFS will also be published to coincide with the changes.

In the meantime, if you have further queries please contact the Department at: [newchildminder.flexibilities@education.gov.uk](mailto:newchildminder.flexibilities@education.gov.uk)

Why is the new category referred to as childminding when it’s not home based?

Childminders are already able to spend 50% of their time working from a non domestic premise and can provide the same high quality provision regardless of the setting they operate from. The flexibilities will allow them to work in a way that suits them and enables them to provide the level of care and education to children that parents want. The new category will provide an option for those who want to become a childminder but are not able, or do not want to, work from their home.

‘Childminders without domestic premises’ will not provide the same standard of care that a home based childminder will provide and this could damage the reputation of childminders.

Ofsted and CMAs inspect the ‘individual’ childminder and not the premises. They will need to be assured that a childminder can meet the requirements of the [Early years foundation stage (EYFS) statutory framework for childminders](https://assets.publishing.service.gov.uk/media/65aa5e29ed27ca001327b2c6/EYFS_statutory_framework_for_childminders.pdf) and/or the childminder requirements of the General Childcare Register.

Parents could be confused about the change as it may blur the lines between a childminder and nursery based provision.

Like childminders with domestic premises, the new category must comply with all the requirements of the [Early years foundation stage (EYFS) statutory framework for childminders](https://assets.publishing.service.gov.uk/media/65aa5e29ed27ca001327b2c6/EYFS_statutory_framework_for_childminders.pdf) and/or the childminder requirements of the General Childcare Register. The new category will also be limited to operating with no more than 3 other people (other childminders and/or assistants) which equates to a total of 4 people working together.

In contrast, those registered as childcare on non-domestic premises (such as a nursery or full daycare centre) must comply with [EYFS statutory framework for group and school-based providers](https://assets.publishing.service.gov.uk/media/65aa5e42ed27ca001327b2c7/EYFS_statutory_framework_for_group_and_school_based_providers.pdf) and/or the group requirements for providers ‘other than childminders’ in the General Childcare Register (which includes different requirements to childminders in terms of qualifications, ratios and written policies). In addition, there is no maximum number of people required to operate as childcare on non-domestic premises.

The EYFS stipulates that childminders must share details of their registration with parents, and this will be extended to those childminders without domestic premises.

Why are the changes being implemented so quickly with no time for consultation?

These changes are the result of discussions with stakeholders and childminders that took place in 2022-23 about a range of measures and resulted in provisions being included in the Levelling Up and Regeneration Act (LURA) to enable them to come into operation (the Act passed in October 2023). They were referenced on the Childminder consultation that was published in March, featured in promotions for Childminder Week in May and an Ofsted blog in June 2024.