

# Full text Draft Childminding Regulation 5

## Part II

### Registration and Register

#### *Regulation 5 - Registration of childminding service*

- (1) The form set out in Schedule 1 is prescribed for the purposes of section 58D(3) for childminding services other than services seeking to apply for renewal of registration.
- (2) The form set out in Schedule 2 is prescribed for the purposes of section 58D(3) for childminding services seeking to apply for renewal of registration. Such services must have previously supplied, at registration or renewal of registration, all supporting documentation or evidence required to fulfil the requirements of the registration process as set out in Schedule 1.
- (3) A person who proposes to provide a childminding service shall make an application under section 58D(2) in respect of the childminding service at least 3 months before the person proposes to become a registered service.
- (4) A person making an application under section 58D(2) shall enclose with the form set out in Schedule 1—
  - (a) a copy of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of—
    - (i) the childminder,
    - (ii) all persons over the age of 16 years who normally reside in the premises during the operation of the childminding service, and
    - (iii) any person who is proposed to provide Emergency cover as set out in Regulation 15.
  - (b) in so far as is practicable, where a person specified in clause (i), (ii), or (iii) of paragraph (a) has lived in a state other than the State for a period of longer than 6 consecutive months, vetting information in respect of the person obtained from the police authorities in that state,
  - (c) 2 references in writing in respect of himself or herself that demonstrate that he or she is a suitable person to provide a childminding service, including one from his or her most recent employer, if any, or from a parent of a child who currently attends or previously attended their childminding service, if any, or from another appropriate person.
  - (d) a completed declaration of suitability, set out at schedule 5,
  - (e) such documentation as demonstrates that the person making the application has valid and appropriate insurance cover for the childminding service,
  - (f) a copy of the Childminding Service Handbook as set out in Regulation 16, and
  - (g) evidence of training as prescribed in Regulation 9(1).
- (7) A person making an application under section 58D(2) in accordance with paragraph (2) shall enclose with the form set out in Schedule 2—
  - (a) a copy of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of—
    - (i) the childminder,
    - (ii) all adults who normally reside in the premises, and
    - (iii) any person who is proposed to provide Emergency cover as set out in Regulation 15.
  - (b) such documentation as demonstrates that the person making the application has valid and appropriate insurance cover for the childminding service, and
  - (c) a completed declaration of suitability, set out at schedule 5.
- (8) Where an application is made pursuant to section 58D by the registered provider of a childminding service or by a person who proposes to provide a childminding service, the Agency, prior to deciding whether to register the provider concerned pursuant to subsection (5) of that section—
  - (a) shall assess the information provided by the applicant,
  - (b) may assess any information previously provided by the applicant in relation to the childminding service or any information or documents held by the Agency in relation to the childminding service including information or documents obtained during inspection,
  - (c) may assess any information held by the Agency in relation to the applicant,
  - (d) may visit the premises where the childminding service is being, or is proposed to be, provided, as the case may be, and
  - (e) shall assess the suitability of the person applying.

# Childminding Regulations 2024 – DCEDIY Explanatory Guidance

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This regulation sets out what is needed to apply for registration. A specific application form must be used and it is attached to these regulations. It also includes a list of documents that must be provided with the application. Additional guidance on how to complete the application form will be made available by Tusla. All childminders will have the opportunity to apply for registration from X date 202X. A transitional period for registration of childminders will be in operation for 3 years from the initial date until X date. During the transitional period childminders can choose to operate without registration but once the transitional period ends (on X DATE) all childminders are required to register. After the end of the transitional period it will then be an offence to operate an unregistered childminding service. Tusla will require a minimum of 3 months to process complete applications.

Where possible, references for the childminder should be from a recent employer or from parents or guardians of children that are or have been in their care. If the childminder does not have a recent employer or has not had children in their care, references should be provided from a suitable, reputable person. A reputable person should be independent, unbiased and not a family member. Examples of a reputable person would include a teacher, a doctor, a member of the Garda Síochána and others. Further guidance on references will be provided by Tusla. All references should be in writing, dated and signed by the referee, and should contain the address and phone number of the referee.

As registration will be valid for a period of 3 years, this regulation also sets out how a childminder can apply to “renew” their registration. This is a shorter process that includes an application form, current Garda vetting documentation and proof of insurance.

The regulation then sets out how Tusla assess the application. This may include:

- reviewing any document it already holds in relation to the application (either from previous applications or inspections),
- it may visit the home where the childminding service will be provided, and
- it shall assess the suitability of the person applying to be a registered childminder (the details of this assessment are set out at regulation 10).