



ISLINGTON

Setting up a childcare business in Islington

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1. Introduction

Developing a childcare service is a long and complicated process. This document has therefore been produced to provide you with details of the support and advice available to you in Islington and to give you an overview of Ofsted and other regulatory bodies.

2. Ofsted

Most childcare providers caring for children aged under eight must register with Ofsted unless the law says that they are not required to do so.

Ofsted register childcare providers on two registers:

- the Early Years Register
- the Childcare Register

2.1 The Early Years Register

All childcarers – such as childminders, day nurseries, pre-schools and private nursery schools – providing for children from birth to the 31 August following their fifth birthday (known as the early years age group) must register with Ofsted on the **Early Years Register** and deliver the Early Years Foundation Stage.

For more information about eligibility on the early years register, please read: The Requirements of the early years Register Factsheet:

<http://www.ofsted.gov.uk/Ofsted-home/Forms-and-guidance/Browse-all-by/Other/General/The-requirements-of-the-Early-Years-Register>

2.1a Early Years Foundation Stage (EYFS)

The Early Years Foundation Stage is the statutory framework for the early education and care of children in the early year's age group. The EYFS includes requirements for the provision of young children's welfare, learning and development that all providers must meet, as well as good practice guidance. The EYFS must be delivered by all registered early years settings and all schools with children in the early years age group, whether or not they are registered on the Early Years Register.

You can find out more about the EYFS on the following website:

www.standards.dcsf.gov.uk/eyfs. To get a copy of the EYFS pack contact the DCSF publications line on 0845 60 555 60 or email: dcsf@prolog.uk.com and quote ref: 00261-2008PCK-EN.

Within the EYFS, the statutory framework sets out legal requirements relating to learning and development and welfare. The welfare requirements are divided into 6 areas:

- Safeguarding and promoting children's welfare
- Suitable people
- Suitable premises, environment and equipment
- Organisation
- Documentation

These are expanded into specific legal requirements and statutory guidance.

Within the requirements, are details of what policies and procedures the setting should have in place including safeguarding children, complaints, behaviour management and equal opportunities (to include Special educational needs policy). For a list of the documentation required within the EYFS, see annex 1.

It also includes adult to child ratios and qualification requirements. These are listed in the EYFS statutory guidance, appendix 2, page 49.

When considering appropriate qualifications for staff, the Children's Workforce Development Council (CWDC) website supports individuals and employers in identifying appropriate training and development for particular job roles in early years and playwork. It provides guidance to Ofsted inspectors, employers and practitioners about how specific qualifications meet the requirements set out by the DCSF for early year's provision. You can find out more about the CWDC and the range of qualifications on the following website: <http://www.cwdcouncil.org.uk>

2.1b Graduate Leader Fund (GLF)

The Government has provided funding since 2006 through the Transformation Fund, and now through the GLF, to help transform and professionalise the early years workforce. The GLF represents a long term commitment from the government to support settings to introduce more graduate leaders. The Government has therefore set a clear ambition that, by 2015, every full daycare setting should be led by a graduate, with two graduates in settings in the 30% most disadvantaged areas (also by 2015). For information on how to access this, contact Gwen Fitzpatrick on 020 7527 5629.

2.2 The Childcare Register

The Childcare Register has two parts: a compulsory part and a voluntary part

Compulsory part

A childcare provider must register on the compulsory part of the Childcare Register if they care for children aged from 1 September following their fifth birthday up to the age of eight, unless they are not required to register. This is usually six- and seven-year-olds, but could include some five-year-olds.

Voluntary part

Some childcare providers can choose to register with Ofsted if they want to provide care that does not need to register with them. This includes:

- home-based care in the home of the child (nannies)
- activity-based settings such as sports coaching or tuition
- short-term care such as crèches
- care that is only for children aged eight to their 18th birthday.

Childcare providers can care for children in two ways:

Domestic premises

These are people providing care on domestic premises with at least three other people. They can provide the care directly or employ people to work with them. The difference between childminding and childcare on domestic premises is the number of people involved. If four or more people look after children at any time they are providing childcare on domestic premises, not childminding.

Non-domestic premises

These are childcare providers who care for individual children in premises that are not someone's home. These premises can range from converted houses to purpose built nurseries. (Please refer to section 3 and 5.2)

2.3 Ofsted Registration

Before making your application to Ofsted you will need to have your project reasonably well developed. The registration process takes time to complete. Ofsted aims to process daycare applications within 25 weeks, but delays may be out of their control (for instance, completion of your building works). You should not make an application for registration until you are sure your project can be completed within 25 weeks. You must have premises before you apply, and if you need planning permission this process may need to be completed before application. Ofsted will acknowledge receipt of your application form and may return your form or contact you for more information. You will also have to pay a non-refundable application fee¹. You will be provided with details of how to obtain criminal records disclosures from the criminal records bureau (CRB) and Ofsted will begin to carry out their checks. An Ofsted inspector will contact you to arrange a visit date and make sure that you have all necessary documents to go through.

A member of the childcare strategy team can help you to decide when to make your application, and how to complete the forms. We can also help you assess whether you are ready for your registration visit (we can never guarantee that Ofsted will agree to your registration).

For details on how to apply for registration with Ofsted and the process this involves. Please read: Ofsted guide to registration factsheet:
<http://www.ofsted.gov.uk/Ofsted-home/Forms-and-guidance/Browse-all-by/Other/General/Guide-to-registration-on-the-Early-Years-Register-childcare-provider-on-domestic-or-non-domestic-premises>

2.4 Ofsted Inspectors Visit

During the visit, the inspector will talk to you about your recruitment and vetting procedures. They may ask to see evidence of these, for example enhanced CRB disclosures, references, full employment histories, qualifications, details of medical suitability and notes from interviews. The inspector will want to see all parts of the premises that you intend to use for daycare, and will check to see if they are safe

¹ Information about Ofsted fees can be found on the following link: <http://www.ofsted.gov.uk/Ofsted-home/Forms-and-guidance/Browse-all-by/Care-and-local-services/Childcare/Registration/Fees>

and suitable for children. They will talk to you about your proposed safety measures; and will also want to look at furniture, toys and equipment that you intend to use with the children.

The inspector will agree with you the numbers of children that you may care for. The decision will be based on a number of factors including available space, the organisation of premises, the ages of children you intend to care for and the number of staff you intend to employ. At the end of the visit the inspector will confirm verbally any actions you may need to take, this will be put into writing setting out the actions you must take before registration is granted. You must respond to these within the time given, if you do not, then Ofsted are likely to refuse registration. A member of the childcare strategy team can support you to meet these actions.

If at any stage during the registration process you change your mind about continuing with your application, Ofsted must be informed. If you do not withdraw your application, Ofsted will continue to process your application and may have to refuse your registration. If Ofsted refuse your registration this means that you will be disqualified from providing childcare.

3. Finding Premises

Finding a property that is suitable to deliver good quality childcare is a very difficult task. There are very few buildings in Islington suitable for childcare, and property rents are very high. Business Link for London (www.businesslink4london.com/) has a Property Locator detailing premises across London, which you might find helpful, or local commercial Estate Agents should be able to help you find premises that meet your requirements. To find out about empty properties in the borough that need to be brought back into use, contact the North London sub-region empty property freephone number on 0800 953 6305. (Please note that there are very few properties that become available)

It is important when finding premises that there is a need for childcare in that particular area. The childcare for Islington report 2008 will provide you with a detailed analysis of the childcare needs within the borough. The report and summary report can be found on the early year's page of the council website, www.islington.gov.uk/earlyyears.

4. Running a childcare Business

Running any business is always demanding, running a childcare business means you have additional responsibilities (such as registration under the Children Act, implementing the Code of Practice for children with special educational needs and working in accordance with child protection procedures). If you do not have any business experience or require further support, our business support team will be available to help (contact details can be found in section 5.1).

The business support team have produced 3 useful documents that can provide you with information necessary if you are interested in starting a childcare business. These are:

- Finance Factsheet: this is an introduction to some of the financial aspects associated with running a childcare business and are aimed at assisting you in your running for financial strategies for the organisation.
- Marketing Information: this is an introduction to some of the marketing aspects associated with running your childcare business and are aimed at assisting you in your marketing plans.
- Legal information: this is an introduction to some of the legal aspects of running a childcare business and the legal implications for the organisation and the law associated with various aspects of organisational development.

All of these can be found on the council website:

http://www.islington.gov.uk/business/support/help_operating/childcare/

4.1 Nursery Education Grant (NEG)

Every three and four year old in England is entitled to a minimum of 12.5 hours of free early learning per week, in nurseries, playgroups, preschools or at their childminder's for 38 weeks of the year. This will rise to 15 hours a week from April 2010, this is to delivered flexibly over a minimum of three days. Parents are not required to contribute towards the free early education entitlement but may be charged fees for any additional childcare services which may exceed the free part-time early education place. The NEG is paid directly to the childcare provider from the local authority.

The NEG code of practice provides more information and guidelines. This can be found on <http://www.surestart.gov.uk/publications/?Document=1747>

5. Departments at the London Borough of Islington, who can help you with your project, are the Planning Service, Public Protection Division and Building Control.

5.1 These are the services that the Childcare Strategy Team provide, to help you develop your project through to Ofsted registration:

Childcare Development Officer: Helen Raine

Early Years Monitoring Officer: Amanda Joy

- are your main point of contact about all aspects of developing a new day-care service;
- can give advice about whether registration with Ofsted is needed, the process of registering with Ofsted, discussion of specific Ofsted standards and assess whether premises are likely to be suitable;
- can advise about other officers who can give more specific advice (eg health & safety, fire safety, and food safety legislation);
- can tell you about other organisations and publications that could be helpful;
- can advise on whether you are ready to make your application to Ofsted;
- can help you assess whether your project is ready for the Ofsted registration visit.

Contact details:

Helen Raine 020 7527 6702 or e-mail helen.raine@islington.gov.uk

Amanda Joy 0207 527 3154 or email amanda.joy@islington.gov.uk

Recruitment Officer, Family Information Service

- is your main point of contact for all your staffing needs;
- can provide advice about recruitment good practice;
- can offer help on designing job advertisements;
- can advertise your job vacancies free in the Islington Jobs in Childcare job sheet;
- can provide a list of employment agencies specialising in childcare workers.

Contact details

FIS 020 7527 5959 or e-mail fis@islington.gov.uk

Business Support Manager: Ronan Fox

Business Support Officer: Zoë Best

- can offer support and advice on all areas of business planning;
- can provide a business planning toolkit;
- can give specialised advice on childcare and Government funding streams;
- can signpost to other relevant agencies;
- can offer general advice and guidance on borough issues, such as existing provision, local forums for information and networking.

Contact details

Ronan Fox 020 7527 8612, or e-mail ronan.fox@islington.gov.uk

Zoë Best 020 7527 4029 or email zoe.best@islington.gov.uk

5.2 PLANNING SERVICE

Developing premises for use as a nursery will usually require planning permission:

- new buildings or 'material alterations' to existing buildings will always need planning permission,
- permission for 'change of use' will be needed unless the premises are already in the 'D1 Use Class' which includes community uses such as libraries, schools and health facilities,
- the use of part of an existing building may require permission, but this will depend on the circumstances,
- it will be necessary to obtain planning permission even where the Council has agreed to lease one of its properties as a nursery.

It is always advisable to check with the Planning Service early on in the process to confirm that a property is satisfactory in planning terms or whether there might be a problem.

The process of obtaining planning permission may be more straightforward if you look at certain types of premises, for example properties previously in community

use, vacant office buildings or shops outside main or local shopping centres. This is because the Council has policies, which protect certain uses, such as residential property, specific shop frontages and good quality business buildings from change of use. Depending on the property, there may also be design or conservation issues. However, it is worth noting that each planning application is looked at on its merits. Exceptions to policy are made because the Council recognises the difficulty of finding premises. The suitability of the premises is often the key factor affecting the decision whether or not to give planning permission.

Obtaining planning permission usually takes about 3 months, but the time will depend on the complexity of the case and whether there are any objections. As part of the consideration given to an application, neighbours are consulted so that they have the opportunity to express their views. Typical concerns include increased traffic caused by parents picking up and dropping off children. Sometimes permissions may be issued that are on a temporary basis (for example 3 or 5 years). Occasionally the use may be restricted to a nursery, to prevent the building changing to a more disruptive use in the future.

The Council's planning policies are set out in its **Unitary Development Plan**, and this is backed up with further advice and guidance. In particular, section 7 of the **Planning Standards Guidelines** gives detailed advice on the provision of facilities for small children and their carers. This seeks to ensure that the premises are appropriate to the needs of children under five years old, meet approved standards and serve the local area. The suitability of a site will, for instance, be assessed in terms of access (public transport, wheelchair accessibility), parking (for safe delivery and collection of children), noise or pollution (from nearby industries or busy roads), and disturbance to neighbours (noise from the nursery). The careful arrangements of uses within the building, and soundproofing are two ways to lessen potential disturbance. It is advisable to talk to neighbours about your plans and try to get their support where possible.

For a copy of the relevant part of the Planning Standards Guidelines or for further advice on planning policy please contact the UDP team, 020 7527 2291, or udp@islington.gov.uk. Alternatively please check the Council's web site for up-to-date information.

NOTE: Compliance with building regulations when building, extending, changing the use of or making structural alterations to a property (whether in private ownership or leased from the Council) is a separate item from planning permission and is covered by Building Control.

Contact details:

Planning Enquiries, Municipal Offices

222 Upper Street

London N1 1YA

Write to: Planning Service, Box 3333, 222 Upper Street, N1 1YA.

Telephone: 020 7527 2774

E-mail: development.control@islington.gov.uk

5.3 PUBLIC PROTECTION

The Public Protection Division of the Environment Department (previously the Environmental Health Department) is responsible for carrying out planned inspections of food businesses at a frequency determined by risk assessment.

Your day-care service will almost certainly provide food, even if it is just juice and a biscuit or fruit. Therefore, **you must register as a food business with the Public Protection Division**. This is free and forms will be sent if you contact 020 7527 3816 and ask for a food registration form.

It is a basic requirement that the premises and preparation of food comply with the Food Safety (General Food Hygiene) regulations 1995. Information leaflets on this legislation are available on the above number.

Under this legislation there is a specific requirement for individual food businesses to carry out a hazard analysis on their business. There is a specific leaflet available to assist with undertaking this.

It is also a basic requirement under the Food Safety Act 1990 that all persons handling open food receive training equivalent to Level 1, i.e. undergo Basic Food Hygiene Training. This will include all staff who are involved in cooking/handling or serving open food.

The Chartered Institute for Environmental Health (020 7928 6006) provides information on basic food hygiene training. Please ring them for further information, including charges.

Public Protection is now also responsible for carrying out health and safety inspections on all Under Fives' premises that are not run by the council. Information leaflets on current Health and Safety legislation are also available on 020 7527 3816.

Contact Details:

Public Protection Division

156-167 Upper Street,

London N1 1RE.

Telephone: 020 7527 3816

E-mail: commercial.envh@islington.gov.uk

5.4 BUILDING CONTROL SERVICES

Guidance notes for day care buildings

In addition to meeting Ofsted Standards, buildings used for day care should be in compliance with the Building Act, Building Regulations, London Building Acts and the Department for Education and Employment – Guidance on the Constructional Standards for Schools.

The Building Regulations standards are set out in Approved Documents and cover:

A – Structure

B – Fire safety

- C – Site preparation and resistance to moisture
- D – Toxic substances
- E – Resistance to the passage of sound
- F – Ventilation
- G – Hygiene
- H – Drainage and waste disposal
- K – Protection from falling, collision and impact
- L – Conservation of fuel and power
- M – Access to and use of buildings
- N – Glazing – safety in relation to impact, opening and cleaning

If you are intending to start a day-care service in Islington you should contact building control to discuss your plans and the works that will be necessary. Advice and guidance on the applicable standards required for Building Regulations approval in and about the building will be given. A charge is made for Building Regulations applications and approvals.

Contact details:

Building Control Service
Development House, 8a Barnsbury Park
London N1 1QQ
020 7527 5999 (24 hr answer service)
Geoff Weaver 020 7527 5986
E-mail: building.control@islington.gov.uk
Web page: www.islington.gov.uk

6. Additional Information

6.1 Data Protection

Day-care groups need to keep all records in accordance with Data Protection Act principles, and if records are kept on a computer the Data Controller of the group must register under the Data Protection Act 1998.

For further information contact:
Information Commissioners Office
01625 545745
www.dataprotection.gov.uk

6.2 Childcare Qualifications

The manager must have at least a level 3 qualification appropriate to the care or development of children and two years experience of working in a childcare setting. A deputy manager, with NVQ3 level qualifications, must be appointed to take charge when the Manager is absent.

For information about courses, which have been accredited at levels 2, 3 and above, contact:

Children's Workforce development council (CWDC)
Website: www.cwdcouncil.org.uk

6.3 First Aid Training

Ofsted requires that someone with appropriate first aid training must be on duty at all times a day-care service is open. A 12-hour course, with test and certificate is required. This should be relevant to caring for children and is often called a Paediatric First Aid course. Under Health & Safety at Work legislation, arrangements must also be made for first aid for employees.

British Red Cross
Commercial Training Centre
Tel: 020 7388 8777
Website: www.redcross.org.uk

St. John's Ambulance
London District
Tel: 020 7258 3456
Website: www.sja.org.uk

There are other firms and individuals who provide first aid courses.

6.4 Insurance

Public Liability Insurance and Employers Liability Insurance will be required, as well as any buildings and contents insurance etc.

We cannot advise on insurers, but an Insurance Broker should be able to tell you of companies who specialise in insurance for day-care groups. Organisations such as the National Day Nurseries Association and Pre-School Learning Alliance, may offer special insurance arrangements for members.

6.5 Other Useful Contacts for Information and Publications

Department for Children Schools and Families
Telephone: 0870 000 2288
E-mail: info@dcsf.gsi.gov.uk
Website: www.dcsf.gov.uk

Qualifications and Curriculum Authority
Telephone: 020 7509 5556
Website: www.qca.org.uk

Pre-School Learning Alliance, London Region
Telephone: 020 7620 0550
Website: www.pre-school.org.uk
Membership organisation, useful publications and access to specialist insurance etc

National Day Nurseries Association
Telephone: 0870 774 4244
E-mail: info@ndna.org.uk
Website: www.ndna.org.uk
Membership organisation, useful publications and access to specialist insurance etc

Day-care Trust
Telephone: 020 7840 3350
E-mail: info@daycaretrust.org.uk
Website: daycaretrust.org.uk
Campaigning organisation, training and research

Every child matters
Website: www.everychildmatters.gov.uk

Sure start website
www.surestart.gov.uk
Offers designs guides to support you with planning your nursery design.

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