• **What do I have to do if I want to employ an assistant?**

The assistant must complete an [EY2 form](#) (Declaration and consent form for all individuals connected with a registered provision) and send it to Ofsted. A Criminal Records Bureau (CRB) check will need to be completed. In the case of childminders, Ofsted is responsible for checking the suitability of all those aged 16 or over living or working on the premises.¹

Other legislation including that relating to employment law will apply. You can find more information on the [HMRC website](#).

• **Is a registered childminder, registered from her own house also able to work as an assistant at the home of another registered childminder?**

A childminder can work as an assistant to another childminder providing she completes an EY2 form and submits it to Ofsted for the other childminder’s registration, ensuring she becomes added to that registration.

• **How many assistants may I work with?**

Childminders work with no more than two other childminders or assistants.

If four or more people look after children at any time, they are providing 'childcare on domestic premises' not childminding and requirements relating to other types of childcare will apply (such as qualifications)

• **Will childminders who work with an assistant(s) have to have a level 3 qualification as they are responsible for the work of others?**

Where childminders work with up to two assistants, they must meet the requirements set out for childminders and currently there is no requirement on them to have a level three qualification. Where the numbers of persons including the childminder exceeds 3 then they would no longer be considered a childminder but 'childcare on domestic premises'. In these particular circumstances there is a requirement for a suitable level 3 qualification. However the Department for Children, Schools and Families have set in place transitional arrangements which allow providers who are already registered until 2011 to obtain any required qualification. This does not apply to new registrations. New applicants will be expected to meet the qualification requirements for childcare providers.²

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¹ Early Years Foundation Stage, Statutory framework p 29. DCSF 2008
² Ofsted bulletin for local authorities – June 2008
• A childminder has three assistants but although there are four of them in total, only three of them work together at any one time, is this childcare on domestic premises?

The Act says that where more than three people work together in a home then they should be treated as childcare providers rather than childminders. So a childminder can work with two other people – either assistants or co-childminders - and remain a childminder. As soon as a childminder works with three other people on domestic premises on any one day including any assistants they employ then they must register as ‘childcare on domestic premises’ not as a childminder.

• Am I able to look after more children if I work with an assistant?

The Early Years Foundation Stage (EYFS) states

“if a childminder either employs an assistant or works with another childminder, the … numbers apply to each of these individuals in addition to the childminder.”

However each childminders’ situation is different and an assumption must not be made regarding overall numbers, particularly when registered on both the Early Years Register and Childcare Register. Ofsted will advise you on this, and at no time must you exceed the numbers specified on your registration certificate.

• Can children be left in the sole charge of an assistant?

A childminder will be able to leave assistants in sole charge if:

1. They have a specific condition on their certificate allowing them to do this and
2. they have written permission from the parents

However they would need to ensure that they were still meeting all the EYFS specific legal requirements, and the requirements of the Childcare Register such as:

“At least one person who has a current paediatric first aid certificate must be on the premises at all times when children are present.”

• Is there any other information that may be of help?

Childminders must be aware of, and fulfil the requirements of EYFS and the Childcare Register.

“(CR3) Childminders must have effective systems to ensure that any person caring for children:

• Is suitable to work with children which must include obtaining an enhanced CRB check through Ofsted
• Is of integrity and good character
• Has skills and experience suitable for the work
• Is physically and mentally fit for the work.”

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3 Early Years Foundation Stage, Appendix 2, DCSF 2008
4 Early Years Foundation Stage, Statutory Framework p 26 DCSF 2008
Induction training should be provided for new staff to help them understand how the provision operates and their role within it. Induction training should include matters such as evacuation procedures and child protection and health and safety issues.  

Childminders should ensure that assistants are able to participate in completing the Self Evaluation Form (SEF), and are aware of all policies and procedures relating to the setting.

- **Who do I ask if I still have questions?**

  Information can be obtained from the following:

  **Buckinghamshire Early Years and Childcare Service**
  Tel: 0800 328 3317    email: mailto:bcis@buckscc.gov.uk

  **National Childminding Association (NCMA)**
  Tel: 0845 880 0044    email: info@ncma.org.uk
  Local office: 01296 382989

  **Ofsted**
  Tel: 08456 404040    email: enquiries@ofsted.gov.uk

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5. Requirements of the Childcare Register – a childcare factsheet, Ofsted 2008
6. Early Years Foundation Stage, Statutory Framework p 31