

Childminding between friends

A childcare factsheet

Introduction

The law usually requires people to register as childminders where they provide care for children under the age of eight in their own home or someone else's home (not the children's own home) for more than two hours a day for reward.¹

The law also says that people who look after a child or children in the home of one of the child's parents do not usually need to register with us to do this. They only need to register with us if they care for the children of three or more families in the home of one of the families for reward.²

However, if you care for friend's children either in your home or any other home, you do not need to register with us as a childminder unless you are paid for doing this.

This factsheet gives more details about when you should or should not register with us, if you provide care for your friends' children. It only applies to childminding. The arrangement set out below does not apply to other types of childcare.

If you do not need to register with us, you may still choose to do so by joining the voluntary part of the Childcare Register as long as you meet the requirements of registration.

If you want more information on registration, you can find this on our website www.ofsted.gov.uk/Ofsted-home/Forms-and-guidance/Browse-all-by/Care-and-local-services/Childcare or by calling us on 0300 123 1231. Please call if you are not sure if you need to register.

What the law says

The law says that people who care for the child or children of friends do not need to register with us as childminders if the childcare is not made in exchange for payment.

¹ The Childcare Act 2006, OPSI, 2006; www.opsi.gov.uk/ACTS/acts2006/ukpga_20060021_en_1.

² The Childcare (Exemption from Registration) Amendment Order 2010.

Payment is defined as a 'payment of money or money's worth'. This means that if your friend pays you for caring for their child or children, you must still register as a childminder, if one of the children is under eight and the care is for more than two hours a day in your own home, or another home that is not your friend's home.

Money or money's worth

If your friend pays you in cash, cheques or vouchers, for example for use in a supermarket or department store, this is counted as payment. It does not matter if this is a regular payment, a one-off payment, or full or part payment for the total amount you are charging. If you receive any such payment you need to register with us as a childminder.

Money's worth means a payment towards the costs involved in the childcare such as a contribution to heating and lighting, or paying for food or repairs to the place where the childminding happens. If your friend pays you for this type of thing then you need to register with us as a childminder.

If your friend buys you an occasional gift such as a box of chocolates, a bunch of flowers, or a bottle of wine; we will not count this as payment. If this is all you receive in return for providing childcare for your friend's children, you do not need to register with us.

Goods and services

You do not need to register with us if your friend gives you goods or services in exchange for childcare. Goods and services are things like repairing your friend's washing machine or car; or buying a bag of groceries.

However, if you provide childminding for someone who is not your friend and they offer goods and services in return for childminding, this **is** counted as reward and you must register with us.

Friends

The law does not give any definition of 'friend' and we will accept its normal meaning as people who hold each other with mutual affection and regard.

Some examples of childcare arrangements between friends

Example one

If you look after your friend's children and, in return, your friend looks after your children (reciprocal care) and no cash exchanges hands, you do not need to register as a childminder, as this counts as reciprocal care between friends where **no** goods and services and **no** 'money or money's worth' exchanges hands.

Example two

You care for two of your friend's children and she gives you a gift of £100. You must register as a childminder as cash has exchanged hands.

Example three

You care for a friend's child and in return she gives you £20 a month to help with food and electricity. You must register as a childminder as cash has exchanged hands.

Example four

You provide care for a friend's child and in return receive grocery vouchers for a local supermarket. You must register as a childminder as you have been paid with vouchers and these count as 'money's worth'.

Example five

You care for two of your friend's children and in return your friend does the gardening for you. You do not need to register as a childminder as this counts as goods and services and **no** 'money or money's worth' exchanges hands. However, if you provided childminding for someone who is not a friend and they do your gardening for you then you must register as a childminder, as this counts as reward.

Example six

You care for a friend's child and in return he offers to mend your car. You do not need to register as a childminder as this counts as goods and services and **no** 'money or money's worth' exchanges hands. However, if you provided childminding for someone who is not a friend and they mend your car for you then you must register as a childminder, as this counts as reward.

What we do when we receive information about childminding between friends

Contacting us to enquire

If you contact us to enquire whether the childcare arrangements you have in place requires registration, or whether it is exempt from registration, our National Business Unit will tell you whether or not this is the case. You can contact us:

- by telephone: 0300 123 1231
- by email: enquiries@ofsted.gov.uk
- by writing to us: Ofsted
Royal Exchange Buildings
St Ann's Square
Manchester
M2 7LA.

Investigating unregistered care

Sometimes people complain to us about childcare they believe should be registered. We investigate all such complaints to make sure that children are not being cared for in circumstances where registration is required, so that children are not at risk.

If when investigating we find the childcare is between friends, without any payment being made, then we ask all the friends involved in the arrangement to confirm this to us and take no further action.

If there is payment involved, or the arrangement is not between friends and is for reward, we can take a number of actions. We may:

- write to you suggesting you register with us and submit an application within 20 working days
- decide that you do not need to register with us because you have told us that you are changing what you do so that registration is not required, for example change the hours you provide care or care for a child in their own home
- refer the information to the relevant local authority children's services department, if we believe there is a potential risk of harm to a child or children. This is the department responsible for all child protection matters
- issue an enforcement notice if we believe you are providing childminding that requires registration with us. An enforcement notice requires you to stop providing childminding; failure to comply with the enforcement notice is an offence.

There is more information on how we investigate unregistered childcare in our compliance, investigation and enforcement handbook, available on our website: www.ofsted.gov.uk/ciehandbook.

More information from Ofsted

Another useful and informative fact sheet entitled *Registration not required* is available on our website, www.ofsted.gov.uk/publications/080134.

There is more information about registration on our website (www.ofsted.gov.uk/Ofsted-home/Forms-and-guidance/Browse-all-by/Care-and-local-services/Childcare). If you are not sure whether you have to register for childcare on domestic premises, please contact us on 0300 123 1231.

There is more information on the requirements for registration on the Early Years Register in the *Guide to registration on the Early Years Register: childcare providers on non-domestic or domestic premises* (www.ofsted.gov.uk/publications/080017) and on the Childcare Register in the *Guide to registration on the Childcare Register* (www.ofsted.gov.uk/publications/080032).

The law that sets out our responsibilities is the Childcare Act 2006 and linked regulations. The specific order setting out exemptions from compulsory registration is the Childcare (Exemptions from Registration) Order 2008 (2008 No. 979) (www.opsi.gov.uk/si/si2008/uksi_20080979_en_1). The references to regulations and our policy on registration and inspection are included in our *Framework for the regulation of those on the Early Years and Childcare Registers* (www.ofsted.gov.uk/publications/080024).

Further information

Your local family information service (FIS) will help you. You can get their contact details from:

www.familyinformationservices.org.uk/index.php?option=com_comprofiler&task=userslist&listid=7&Itemid=72, or from your telephone directory.

The Office for Standards in Education, Children's Services and Skills (Ofsted) regulates and inspects to achieve excellence in the care of children and young people, and in education and skills for learners of all ages. It regulates and inspects childcare and children's social care, and inspects the Children and Family Court Advisory Support Service (Cafcass), schools, colleges, initial teacher training, work-based learning and skills training, adult and community learning, and education and training in prisons and other secure establishments. It assesses council children's services, and inspects services for looked after children, safeguarding and child protection.

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Royal Exchange Buildings
St Ann's Square
Manchester
M2 7LA

T: 0300 123 1231
Textphone: 0161 618 8524
E: enquiries@ofsted.gov.uk
W: www.ofsted.gov.uk

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