



# Changes to rules about child minding and day care registration and the development of a Voluntary Approval Scheme

**We want to know what you think**



# How to use this document



This is an Easy Read version of the consultation called:

**The Draft Child Minding and Day Care Exceptions (Wales) Order 2026 And Proposal for a Voluntary Approval Scheme for Childcare, Playwork and Activity Providers.**



You might need some help to read it. Ask someone you know to help you.



Llywodraeth Cymru  
Welsh Government

Where the document says **we**, this means the **Welsh Government**. For more information contact:

**Email:** [Childcareandplayworkconsultation@gov.wales](mailto:Childcareandplayworkconsultation@gov.wales)



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# About this booklet



Llywodraeth Cymru  
Welsh Government

We are the **Welsh Government**.



There are rules in Wales for people who can look after children without their parents present.



Some people who look after children must register as a child minder or day care provider.



A child minder is a person who provides care for children in a home.



Day care providers provide care for children in places other than a home.



In some situations, people do **not** need to register. The rules that set this out are called **exceptions**. The people are **exempt**.



If they are **exempt**:

- They do **not** have to register with Care Inspectorate Wales.
- They do **not** have to follow all the rules for child minders and day care providers.



**Care Inspectorate Wales** checks that childcare services are safe and run properly.

# What may be changing



We are checking if the possible new rules about **exceptions** are fair.



Some people told us there should be a new **Voluntary Approval Scheme**.



This would be a scheme for exempt providers. They can choose to join, but would follow fewer rules than if they were registered with **Care Inspectorate Wales**.



The new scheme would be called the **Voluntary Approval Scheme for Childcare, Playwork and Activity Providers**.

# What we have done so far



Between Spring 2024 and Summer 2025 we spoke to around 400 people.

We talked to:



- Children, parents, carers.



- People who look after children. Both registered and unregistered.



In June 2024, we set up a group to help with this work.

# We want to hear from you



We want to know what you think about the changes.



Please read this booklet. Then answer the questions in the **Response Form**.



Send your answers to us by **3 November 2025**.

You can:



Fill in the form online.



Download the form and email it to:  
[Childcareandplayworkconsultation@gov.wales](mailto:Childcareandplayworkconsultation@gov.wales)





Post the form to:

The Exceptions Order and Voluntary Approval Scheme

Early Years, Childcare and Play Division

Welsh Government

Cathays Park

Cardiff

CF10 3NQ

# What we want to find out

There are **3 parts** to what we want to know. You can answer all the parts, or just some.



## Part A - Exceptions

We want to know what you think about possible changes to the exceptions.



## Part B – Voluntary Approval Scheme

We want to know if there should be a **Voluntary Approval Scheme**.



This would be for some people who run childcare, playwork, or activities for children.



We want to know who should be able to join the scheme and how it should work.



## Part C - Impact

We want to know how the changes might affect:

- The Welsh language.
- Children's rights.
- Other important areas.

# Keeping people safe



Keeping children and young people safe is very important. This is called **safeguarding**.



There are safeguarding rules called the **Code of Safeguarding Practice**.



There is the expectation that all providers follow the **Code of Safeguarding Practice**. This includes:

- All registered childcare providers.
- People who work with children or run activities, even if they are not registered.



We may make changes to the **Code of Safeguarding Practice**.



We are thinking about how changes to the **Exceptions** and making a **Voluntary Approval Scheme** would work with any changes to the **Code**.

# Part A – Exceptions



Exceptions are situations where people do not need to register to look after children.

We want to:



- Make sure children can go to places where they can have fun, learn and grow.
- Only ask people to register if they really need to.



- Keep children safe in all places, not just in registered settings.
- Make sure childcare and activities are affordable and available to families.



- Make the rules simple and clear for everyone to understand.



We know that both registered and unregistered providers do great work.



We want children to be safe and to enjoy activities.

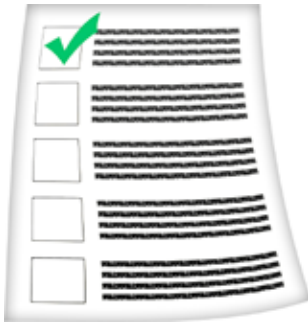


We are not trying to register everyone who works with children.

# Registering with Care Inspectorate Wales



Some child minders and day care services in Wales need to register with Care Inspectorate Wales.



They must follow important rules to help keep children safe and well.

To register they must:



- Fill in an application form with the right information and documents.



- Have the right qualifications to care for children.



- Pass background checks, called DBS checks, to show they are safe to work with children.



- If they are a child minder, everyone in their home aged 16 or over must also pass background checks.



- Make sure the place they care for children is safe and suitable for them.



- Have the right number of staff for the number of children.



- Do training to keep their skills up to date.



- Let **Care Inspectorate Wales** inspect their setting to check the quality of care.





- Keep up good standards every day.



- Tell **Care Inspectorate Wales** if anything important changes.



- Know that their registered information is public and can be seen online.

# Changes to the rules about exceptions

## Parents, relatives, foster carers and people living with the child

### The rules now



- Parents, foster parents and family members of a child, do not need to register to look after them.



- This helps families look after children without lots of paperwork.

### Why this might change



- The law and the guidance do not always match. This can be confusing.

## What we want to change

We want to:



- Make the law and the guidance match.



- Make it clear who needs to register as a child minder.



- Allow some relatives and people living with the child to register as child minders. They will need to:
  - Not be the child's parent or have parental responsibility for them.
  - Not be the child's foster carer.
  - Not care for the child in the child's home.
  - Be available to care for other children from outside their family.

## Nannies, au pairs and babysitters



These are people who care for a small number of children.



They provide care in the children's home or somewhere like a hotel.



They care for 1 or 2 families at a time.

## The rules now



There are 3 rules that explain when they do not need to register:

### 1. Nannies and au pairs

They do not need to register as a child minder if they:



- only look after children from no more than 2 families at the same time.



- work for the parents to care for their children in one of the family's homes.



### 2. Evening babysitters

They do not need to register if they only care for children between 6:00pm and 2:00am.

### 3. Babysitters in hotels or guest houses

They do not need to register if they only care for children:



- between 6:00pm and 2:00am in a hotel or guest house,



- **and** they only look after children from no more than 2 families at the same time.

### Why we want to make this change

We want to:



- Make these rules clearer
- Keep a difference between babysitters and child minders.

### What we want to change

Have the same rules for nannies, au pairs and babysitters.





Remove the 6:00pm to 2:00am time limit for babysitters.



Allow babysitters to only look after children from no more than 2 families at the same time.



Families make the agreements with the babysitter, nanny or au pair to look after their children.



Allow babysitting to happen in a child's home or the home of the other family.



Allow babysitting to happen somewhere else, like a hotel or guest house.



Babysitters would still not need to register when they work within the rules.

# Youth services



## The rules now

Some services for young people aged 11 and over do not need to register. For example, youth clubs or youth support groups.



## What we want to change

We want to lower the age from 11 to 10 years old in some situations.



## Why we want to make this change

- To support children get the help they need as they move to secondary school.
- To help with their learning and social needs.





# Coaching and tuition



Coaching means helping with skills, like football or acting.



Tuition means giving extra help with learning, like schoolwork.



## The rules now

People do not need to register if they offer coaching or tuition in 2 of these types of activity:

- Sport
- Performing arts, like dance or drama
- Arts and crafts
- School work
- Religious or cultural study



### **But only if:**

- the children are age 5 or older,
- **or** children age 4 and under stay for 4 hours or less.

### **What we want to change**

We want the new rules to be:



- Children aged 4 and under should only stay for 2 hours or less before needing to register.



- If the child's parent or carer stays with them, they will not need to register.



- Children aged 5 and over can still attend for longer.



- We also want to change the categories. The new ones will be:
  - Sport
  - Arts
  - Educational support in different subjects
  - Religious or cultural study



- They can only provide coaching or tuition in 1 of the types of activity.

## Care in schools



### The rules now

Schools do not need to register if they care for children as part of the education they provide.

### What we want to change

We want to:



- Change the rule so it only applies to children aged 3 and over.



- Make it that if schools care for children aged 2 or under, they must register that part of the school as day care.

## Why we want to make this change

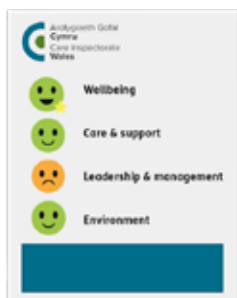


- Children aged 2 and under need lots of care.



- These children need day care more than education.

# Suspended services



This means people that are registered with Care Inspectorate Wales who have been removed from the register for a set time to put things right.



This can happen for many reasons. For example:

- if they have not followed the rules,
- if their building becomes unsuitable,
- or if there are concerns for the safety of children in their care.



## The rules now

At the moment, suspended services can still provide care for 2 hours or less a day.



## What we want to change

We want to change the rules so that they can no longer provide any care when they are suspended.

# Looking after children aged 2 and under

## The rules now

People do not need to register if:



- They care for a child for 2 hours or less a day.



- They care for a child for 5 days or less a year and tell **Care Inspectorate Wales**.



- They are giving coaching or tuition in certain activities.

## What we are thinking about changing



We want your views on:

- Making these rules only apply to children aged 3 and over, if the parent is not with the child.
- Making these rules apply to children aged 2 and under, if the parent is in, or around, the same building.



### Risks

If we change the rules to say people who care for children aged 2 and under must register, it may limit how many services are available for this age group.



People might change so they only care for children aged 3 or over, to avoid needing to register. Some may close.



It could also increase the cost of care for children aged 2 and under.





People might decide not to set up a new childcare, play or activity service. As they will not be able to test it out before opening fully.



It may also make the rules more confusing. There will be more rules about age and where care can be provided.



## **Benefits**

Many people think registration is a good way of making sure care is safe and good.



As children aged 2 and under need more care, inspections would check that their care needs are being met.



People may offer more hours of care to children aged 2 and under. They will not be limited to providing care for only 2 hours a day once they are registered.



They might be able to deliver funded programs, like **Childcare Offer for Wales** and **Flying Start**.



Department  
for Work &  
Pensions

Families might be able to get benefits and financial help from the government. This is if the service they use becomes registered.

## Other



### One year to register

If the above changes happen, people who need to register would get a full year to do so. This would be from the day the changes are made.

# Part B - Voluntary Approval Scheme



We are thinking about creating a **Voluntary Approval Scheme**.



This is for people who provide childcare, playwork, or activities for children. But who do not need to register as a child minder or day care provider.

## Our ideas for creating a Voluntary Approval Scheme



The Voluntary Approval Scheme is a way to show that providers meet certain criteria.



Childcare, playwork, and activity providers can choose to join.



They would need to show **Care Inspectorate Wales** that they meet basic requirements. If they meet those basic requirements they would become 'approved'.

## Aims of the Voluntary Approval Scheme

The 3 main aims of the scheme would be to:



- Help eligible families use Tax-Free Childcare or Universal Credit Childcare to pay for childcare, playwork and activities.



- Check that providers on the scheme meet basic criteria when they join. This could help parents know more about the services they use.



- Make it easier for local councils to know who is providing services in their area.

# What providers would have to do to be on the scheme



People on the scheme would have to:

- Be at least age 18.
- Do certain training including safeguarding, first aid and basic childcare.
- Pass background checks, called DBS.
- Not have been told they cannot work with children.
- Have public liability insurance.
- Agree to keep children safe, handle food safely and think about best practice advice.



## Management and oversight



This means how we would make sure the scheme works and meet our aims.



**Care Inspectorate Wales** would manage the scheme and approve people to join.



People on the scheme would not be inspected by **Care Inspectorate Wales**.



They would need to apply for approval every year and would need to pay a fee.



**Care Inspectorate Wales** would pass details of the people who are on the scheme to the local council, who could then help them.



People on the scheme would need to make sure they tell **Care Inspectorate Wales** if anything changes about them.

**Care Inspectorate Wales** would not take any complaints about people on the scheme.



If there were concerns that someone on the scheme is not keeping children safe, the local council would carry out checks.

The council would tell **Care Inspectorate Wales** what they found out.



People could be refused approval or removed from the scheme if they do not meet the requirements.



If they disagree, they have 28 days to tell **Care Inspectorate Wales** why.

**Care Inspectorate Wales** could remove the people from the scheme if they think it is needed.



## Who could join the scheme



- Child minders and day care providers run by a local council or school for 2 hours or less a day.
- Child minders and day care providers who work for 2 hours or less a day before or after school.



- Child minders and day care providers who work for 2 hours or less a day at any time during the day.
- Babysitters, nannies and au pairs.



- Coaches and tutors for sport, arts, education support and religious study for more than 2 hours. This could include places where children stay overnight to have their coaching or tuition.



- Those who offer day care for 5 days or less per year.
- People who care for children aged 12 to 16.



## Joining fee



We think there should be a fee to join the Scheme.  
In England the fee is £114.

# Part C – How the changes might affect people



This part is about checking the impact the changes would have.



We need to:

- Weigh up the risks and benefits of making changes.
- Think about the costs.
- Look at how the changes might affect children, families and others.
- Think about the Welsh language and how the changes might affect it.



We ask questions about all this in the Response Form.

# What will happen next



We will listen to what you tell us. We will use your views to help make the changes.



No changes will be made until at least 2026 or 2027.