

## WELSH GOVERNMENT INTEGRATED IMPACT ASSESSMENT

<b>Title of proposal:</b>	Consultation to change elements of the National Minimum Standards (NMS) for Regulated Childcare for children up to 12 years of age - 2025
<b>Official(s) completing the Integrated Impact Assessment (name(s) and name of team):</b>	Rox Mohammed/Michelle Perry/Amy Castle Childcare Policy Team
<b>Department:</b>	Health, Social Care & Early Years- Early years childcare and play division
<b>Head of Division/SRO (name):</b>	Ruth Conway- Deputy Director, Early Years, Childcare & Play Division
<b>Cabinet Secretary/Minister responsible:</b>	Dawn Bowden, Minister for Children and Social Care
<b>Start Date:</b>	March 2025

## SECTION 1. WHAT ACTION IS THE WELSH GOVERNMENT CONSIDERING AND WHY?

The [National Minimum Standards \(NMS\) for Regulated Childcare for children up to 12 years](#) helps support registered providers in meeting the regulatory requirements associated with their provision under the [Childminding and Daycare \(Wales\) Regulations 2010](#) (as amended). The NMS requires that all registered persons must have regard to the NMS and meet regulatory requirements. The regulatory body responsible for ensuring that the standards are met is the Care Inspectorate Wales (CIW).

Any substantial policy changes to the NMS must be consulted upon and measured for their impact on service users, providers and protected characteristic groups. The Welsh Government (WG) has a duty to publish Section 1 Introduction and Section 8 Conclusion along with specific Impact Assessments for Children's Rights and Welsh Language.

### **NMS review 2024 - 2025**

We are committed to reviewing the NMS on a regular basis so that it remains fit for purpose. It is important to note that the NMS already contains requirements and standards that providers must meet in relation to children's rights, equal opportunities and language choice of relevant children in their care. Standards relating to these key areas are updated regularly as part of the NMS review process.

The NMS was last refreshed in 2023 following a review and consultation exercise. Several changes were made to the NMS in response to 20 recommendations from the [NMS review report](#) in 2019. Not all 20 recommendations were taken forward as the work associated with them were embedded in other Welsh Government work programmes and reviews, and these were either in progress or had not been reported upon at the time.

For this review, we have considered the findings from the following as part of this NMS review and consultation: *NMS review in 2019; The Independent review of Child minding; The Ministerial Review of Play.*

The overriding focus of the NMS review is to ensure the ongoing safety and wellbeing of the children being cared for and to support the sustainability of the childcare and playwork sector. Our aims for this review are to develop:

- Standards to support high quality play, learning and care provision.
- Standards which provide reassurance to parents that provision meets children's needs and their wellbeing.
- Standards to equip providers to meet relevant regulations.
- Standards aligned to Early Childhood Play Learning and Care (ECPLC) principles setting out conditions for high quality childcare and play.
- Proportionate standards

## Proposal development

To meet the aims of this NMS review, develop robust proposals and provide opportunities to raise concerns, an NMS Advisory Group and working groups were set up to work with Welsh Government. The groups include key stakeholders from across the sector and have been fully involved in the development of the consultation proposals including assessing the impact on service users and providers.

Our Advisory Group and working groups represent the interests of childcare and playwork in Wales. They include the Cwlwm consortium<sup>1</sup>, Care Inspectorate Wales, Play Wales, local authority childcare and play teams and other organisations. Our collaboration work has highlighted other emerging issues that cause barriers for the sector which are included in the proposals e.g., Standard 11: Medication and Standard 13 (DC): Suitable Person (Day care).

## Engagement

As well as responding to the findings and recommendations from the previous NMS review, the Ministerial Review of Play report and independent review of child minding report, part of our work was to understand how the NMS is currently viewed in practice. This was to consider any challenges, barriers and impacts for providers, umbrella organisations, parents/carers and children. Below is a broad overview of our engagement with these cohorts' pre-consultation.

### Providers

In 2024 we engaged in workshops facilitated by Play Wales and Cwlwm consortium and their members to learn more about their views on the NMS.

The engagement with providers and childcare umbrella organisations that directly related to the NMS showed us that overall, the NMS is fit for purpose, generally user-friendly and sets clear benchmarks and serves as a logical framework, providing reassurance for providers and parents/carers. Providers tended to go beyond the minimum requirements in the NMS thereby creating a positive impact on children.

There were suggestions for improvement that it could reflect and align with resources under ECPLC. Regular review of the NMS would help to reflect current practices and keep it up to date. Areas to note include the requirements for open access playwork providers who felt that the NMS needs to be proportionate and reflect the unique nature of open access playwork. Also, the document could be provided in a more accessible online format.

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<sup>1</sup> [Cwlwm consortium represent the interests of childcare providers in Wales who are \*National Day Nurseries Association\*; \*Clybiau Plant Cymru Kids' Club\*, \*Coram Pacey Cymru\*; \*Early Years Wales\*](#)

## ***Parents and children***

To gain a broad overview and understand what good childcare looks like from the perspective of parents and children we worked with Children in Wales through focus groups and framed questions to children and parents. Our questions were themed around what was important to both groups when accessing childcare. The broad themes which emerged from this engagement were:

### ***Parents***

- The need for a childcare system that is accessible, inclusive and aligns with the diverse needs of families across Wales.
- The need for childcare to provide a safe, trusted environment where children can learn, socialize, and develop.
- The importance of safety, affordability, and staff training in childcare settings is very important.
- A need to meet the specific needs of all children especially those with Additional Learning Needs and disabled children.
- Barriers to accessing childcare include high costs, limited availability, and inadequate support for families with ALN children
- Families from ethnic minority backgrounds cited the need for more cultural and religious considerations, such as halal food and awareness of parenting practices
- A significant gap in understanding the distinction between ‘registered’ and ‘unregistered’ childcare was identified, with many parents expressing difficulty in finding and verifying information about registered settings.

### ***Young children***

- Children saw childcare as a place to play and socialise, and this increased their wellbeing
- The people that look after them in settings are central to a child’s feeling of safety, security and happiness. The children openly talked about members of staff and what they liked/loved about them; these connections are vital for young children. They understood and recognised how the practitioners help them to do things, take care of them and listen to them.
- Children reported feeling sad or upset in settings on occasion, in response to a specific event or feeling. This included, if they didn’t like a certain activity or food; if the weather was wet or cold, if they got hurt and if they couldn’t do what they enjoy most. A small majority reflected that they missed being with their family.
- Childcare is often not a choice for young children, and they go because someone takes them. However, the majority view this as a happy, fun experience for their enjoyment and a space to play and make connections.

### ***Older children***

- Children expressed significant satisfaction with the variety of activities and the supportive, engaging environments provided.

- Children highlighted key areas for improvement, such as inclusivity, fairness, and the physical and emotional safety of the settings.
- Environments that are nurturing, foster creativity, skill development, and social connections, while also aligning with children's interests and family priorities were important to children.
- Priorities for children included their emphasis on fun, safety, and inclusivity

Overall, the feedback highlights the essential role of childcare and play settings in fostering a balance between fun, learning, and safety, providing critical support to families, and promoting the holistic well-being and development of children.

Undertaking our engagement has provided a rich source of information to consider what works well and more areas we need to consider for future reviews and other workstreams.

## Consultation

Following the review, the consultation has considered proposals to change elements of the [National Minimum Standards \(NMS\) for Regulated Childcare for children up to 12 years](#). The main reason for development of these proposals is linked to previous Welsh Government reviews that have reported their findings and recommendations. These reviews were [NMS Review 2019 report](#); [Ministerial Review of Play 2023 report](#); [Independent Review of Child Minding 2023](#).

The benefits of undertaking this review and consultation allow Welsh Government to consider the NMS critically with a wide audience, ensuring they are continuously improved, fit for purpose in supporting good quality childcare and do not cause barriers to practice.

The proposals will be subject to a 12-week consultation when the views of stakeholders, providers and the wider public will be sought on the proposed changes to the NMS. The Welsh Government will use its digital channels and existing networks across all relevant policy areas to raise awareness of the consultation and to engage a diverse range of people. An Easy Read version will be available.

This will include organisations which are family-facing and those which represent the interests of children in Wales, as well as the Children's Commissioner, Future Generations Commissioner and the Welsh Language Commissioner. CIW, Social Care Wales, the Cwlwm childcare consortium, Play Wales and local authorities will support the consultation process, ensuring it is publicised with childcare and playwork providers across the sector. The wording of the final updated NMS guidance will be informed by feedback received from the consultation.

We intend to consult on the following proposals with a broad range of stakeholders over Autumn 2025. Following analysis of feedback, we will publish a Summary of Response by Spring 2026 and implement the necessary changes in incremental stages thereafter with support from our stakeholders.

## Consultation proposals

Each consultation proposal is set out below under a topic area with evidence to explain the reason for any changes. Further detail relating to each proposal and consultation questions is provided in the [consultation document/name the section]. The overall impact of these proposals is discussed in the conclusion (section 8) and the relevant draft Impact

Assessments published as part of this document (Children’s Rights and Welsh Language Impact Assessments).

### **Structure and layout of the National Minimum Standards**

Following a review of the NMS In 2019 a [report](#) was published. This included two recommendations relating to structure, presentation and type specific standards.

*Recommendation 19: Consider further work to explore in more detail with the sector some of the pros and cons of a more proportionate or type specific approach to standards and;*

*Recommendation 20: Explore ways of simplifying current NMS*

We have engaged and collaborated with our NMS Advisory Group on these two recommendations, we intend to consult on an online accessible version of the NMS which is easier to navigate for different parts of the sector, hosted on [www.gov.wales](http://www.gov.wales) and presented with relevant regulatory requirements and best practice information.

- **Consult on a draft mock up example (e.g., Standard 12 Food and Drink) of how NMS could be presented online to improve structure, layout and user experience**

### **High Quality provision - What do we mean by High Quality provision?**

Published in March 2024, the [Early Childhood Play, Learning and Care \(ECPLC\)](#) sets out a vision for how childcare, playwork and nursery education settings prior to statutory school age (0–5-year-olds) can support the development of babies and young children’s social, emotional, cognitive and physical needs. As part of the longer-term vision for ECPLC, and embedding a children’s rights approach to policy making we intend to consult on the following:

- **Consult on proposal to update the introduction chapter in the NMS - “What do we mean by High Quality Provision”, to further strengthen information and requirements with regards to quality to align with ECPLC principles.**

### **Definitions**

The Ministerial Review of Play Report (MRoP recommendation 11.3 asked the Welsh Government to ‘Review and update the definition of open access playwork and the settings where it takes place and make relevant revisions to the National Minimum Standards for Regulated Childcare Provision (NMS).

*11.3. Review and update the definition of open access playwork and the settings where it takes place and make relevant revisions to the NMS.*

From engagement work with members of PETC (Playwork Education and Training Council) Wales and Play Wales a new definition for Open Access Playwork has been established and we are consulting on approval of this definition and whether it reflects provision accurately.

At the same time, and for completeness, we are reviewing other definitions in the NMS and seeking views on whether providing examples of the sector types would be helpful.

- **Consult on approval of an updated definition of “open access playwork”**

### **Open Access Playwork standards**

The Ministerial Review of Play reported on its [findings](#) in November 2023 which included key recommendation 11: *To Review child minding and day care regulations and orders relating to playwork*. Specific recommendations 11.1 and 11.3 (see Definitions above) that impacted on open access play in the NMS were accepted:

*11.1: Review the practice and delivery of the Care Inspectorate Wales inspection regime relating to playwork to improve its fitness for purpose within the current regulations. This should inform changes to the National Minimum Standards (NMS) and the regulation and inspection of all playwork settings and should also include the development of standalone NMS for open access playwork settings.*

Recommendation 11.1 contains two parts. The work related to Care Inspectorate Wales inspection regime is a separate Welsh Government work stream and does not form part of this consultation, this will be reported on separately as part of the Ministerial Review of Play reporting cycle.

The second part is related to **standalone open access play standards** and is relevant to this consultation. This work will involve the development of proportionate bespoke standards for open access play settings to reflect the unique nature of this provision and to respond to recommendation 11.1. Part of this work has been to consider current standards that cause barriers to the registration of open access playwork provision and prevent a further decline in the registered numbers of this type of provision whilst maintaining adherence with regulatory requirements as set out in [The Child Minding and Day Care \(Wales\) Regulations 2010](#).

After reviewing the NMS standards, we view that most standards will require changes to wording only and will not require full consultation. However, for **Standard 10: Healthcare** specifically open access play standards **10:28, 10:29** and **Standard 13 (DC): Suitable person (Day Care) Other Staff Qualifications - 13.9 (DC) For Open Access Play** we need to explore further the impacts of any changes and consider any unintended consequences of changes. The information below covers the evidence behind these specific proposals.

### **First Aid Training – Open Access Play: Standards 10: Healthcare – Standards 10:28 and 10:29**

[First Aid 41. The Health and Safety \(First Aid\) Regulations 1981](#) set out the requirements relating to employees. *It is recommended that schools treat pupils as if they were employees for the purposes of first aid and provide first aid materials and expertise as appropriate based on risk assessment.*

### *Employers' legal duties*

The Health and Safety (First Aid) Regulations 1981 require employers to provide adequate and appropriate equipment, facilities and personnel to ensure their employees receive



immediate attention if they are injured or taken ill at work. These Regulations apply to all workplaces including those with less than five employees and to the self-employed.

*How do the Health and Safety (First-Aid) Regulations 1981 relate to first-aid provision in schools?*

Employers are responsible for the provision of appropriate first-aid equipment, facilities and first-aid personnel in respect of their employees – this includes schools, as they are workplaces. Although the Regulations do not require employers to provide first aid for anyone else, HSE strongly encourages employers to consider non-employees when carrying out their first-aid needs assessment and to make provision for them.

Play Wales have told Welsh Government that in schools in Wales there is no requirement that all staff are first aid trained and often children are more widely dispersed in a school than in an open access play setting where they would be close to the nominated first aider most of the time. Open access play holiday only provision (which Welsh Government encourage as part of our Playworks Holiday Project) find it very difficult to put all temporary staff through the required First Aid training.

Play Wales agree that it would be beneficial to have as many first aiders as possible, however this could be achieved as part of continued professional development, first aid training completed at another workplace and first aid needs being assessed according to the type of service and the children who attend rather than this being a prescribed requirement in the NMS.

### **Standard 13 (DC): Suitable person (Day Care) Other Staff Qualifications - 13.9 (DC) For Open Access Play**

Play Wales have said that there is difficulty sourcing staff to meet the NMS “staff qualification” requirements. The prescribed qualification requirements in the NMS are at odds with the nature of provision where temporary staff are needed for limited operating periods. The demand of completing a qualification is often not worth the effort and this contributes to causing reductions in the number of open access play provision that are registered.

We will, therefore, include proposals for amending first aid training requirements, specifically First Aid Training – Open Access Play, standards 10:28, 10:29 and 10.30 and percentages of qualified staff under Standard 13(DC): Suitable person (Day Care) (other staff) in open access playwork provision in this consultation.

- **Consult on Standard 10: Healthcare – First Aid Open Access Play 10:28, 10:29 and 10.30 to change requirements for Paediatric First Aid to make them more proportionate for open access playwork**
- **Consult on Standard 13 (DC): Suitable person (Day Care) Other Staff Qualifications - 13.9 (DC) For Open Access Play**

### **Medication**

The WG issued a [Circular Letter 011/2024](#) in December 2024 to respond to calls from the sector and Care Inspectorate Wales for clarity on the administration of non-prescribed



paracetamol oral suspension (“Liquid Paracetamol”). This was done as a matter of urgency to protect children’s health and well-being when they became unwell whilst being cared for within registered child minding and daycare settings (“registered settings”).

Standard 11: Medication of the NMS does not currently fully address what arrangements can be made around non-prescribed medication and does not provide additional guidance on arrangements for provision of Liquid Paracetamol in the circumstances described in the circular. We intend to formally consult on changes to the relevant standard and incorporate the information from the circular letter into an annex as additional guidance to support registered providers.

- **Consult on amending Standard 11: Medication and provide additional guidance for administering liquid paracetamol to unwell children and reflect that paracetamol can be purchased from pharmacies and other retailers without needing a prescription from a General Practitioner (GP).**

### **Deployment of Staff**

The Welsh Government have evidence from the sector and CWLWM consortium on a need to clarify how the percentages of qualified staff, unqualified staff and volunteers are effectively deployed across the setting and whether the minimum percentages outlined in the standards are per room or across the setting.

There has also been requests for clarification on when settings have employed additional staff and volunteers to support with meeting children’s individual needs. This has appeared in some instances to be seen as to dilute the percentages of qualified, unqualified and volunteer ratios overall.

The proposal is to seek views on additional wording to be added to Standard 13 (DC): Suitable person, to offer clarification on deployment of staff across the setting. While providing information in instances when settings may include additional volunteers, which are over and above required adult: child ratios, (to support with meeting children’s individual needs), this should not be seen as a dilution if the outcome and impact on children’s needs is enhanced.

We propose to consult on the following Day care standard:

### **Standard 13 (DC): Suitable Person (Day care)**

- **Consult to provide clarification on effective deployment of staff across the setting.**

### **Child minder assistants**

Coram PACEY Cymru (formerly PACEY Cymru), who represent child minders in Wales have highlighted that some child minders who work with child minder assistants have struggled to recruit and retain staff. It is proposed that some flexibility (within a set timeframe) will help maintain continuity in the child-minding sector.

Amending Standard 13.4 (CM) to allow child minding assistants to be employed without a formal qualification but be working towards and achieve the required qualification for up to

six months, will ease pressure on recruitment. A childminding assistant will not be left unsupervised until this qualification is achieved.

In addition, we need to address the issue of the length of time that child minding assistants can be left in sole charge of the children. Care Inspectorate Wales and Coram Pacey Cymru note that child minders have expressed the need for clearer guidance on this issue. A two-hour time limit could provide clearer guidance and support child minders in managing their service along with ensuring good outcomes for children. We will consult as follows:

- **Consult to provide a working towards timeframe for newly appointed child minding assistants to complete the required qualification within 6 months from point of employment in the role.**
- **Consult on maximum length of time a child minder assistant can be left in sole charge of children**

### **Ratios for child minding**

An [Independent Review of Childminding](#) (2023) was undertaken to better understand the reasons for the decline in the number of child minders. [Recommendation 15](#) said that *Care Inspectorate Wales should consider introducing more flexibility in the way child minders can apply NMS staffing ratios during short periods of the day to enable child minders to better accommodate out of school childcare before and after school as well as overlapping wrap around care during lunchtimes.*

Following thorough analysis with the NMS Advisory Group proposals have been developed to provide flexibility whilst being mindful of not impacting negatively on children's wellbeing. The Welsh Government (WG) are therefore proposing to consult on this standard:

### **Standard 15 (CM: Ratios (Child Minder))**

- **Consult to amend the ratios for child minders and offer limited flexibility for under 5-year-olds.**

## **[Five Ways of Working](#) (The Well-being of Future Generations (Wales) Act 2015)**

### ***Long term***

The childcare and playwork sector are a valued and critical part of society which supports families and the foundational economy. Improving access for families to high-quality childcare and play provision plays a key part in supporting the commitments within the [Child Poverty Strategy](#) to eradicate child poverty and improve children's life chances. Childcare experiences give children opportunities to learn through play, support their cognitive, emotional and social development and upholds their rights under the United Nations Convention on Children's Rights.

The Child Poverty Strategy (July 2024) purpose *is to look to, and plan for, the long term and to set the objectives for contributing towards the eradication of child poverty and the eradication of the worst effects of being in poverty in Wales for the next decade or more.*

The Programme for Government commitments include Government's funded childcare programmes under [Flying Start](#) expansion and the [Childcare Offer](#) extended to parents who are in education and training.

The NMS contributes to these commitments, strategies and programmes by ensuring that standards enable registered settings to provide high quality play, learning and care provision to all children no matter their background.

Our [Early Childhood Play, Learning and Care in Wales Plan \(ECPLC\)](#) was published on 15 March 2024. The plan places the child and child development at the heart of everything we do, and the proposals support the long-term vision for ECPLC.

We are intending as part of our proposals to strengthen the principles of ECPLC within the NMS to support the values and ambitions of this plan and to bring the voice of the child to the forefront.

The NMS provides ongoing reassurance to parents and children about the quality of care they should expect to receive from registered childcare providers i.e., including qualified staff, a suitable environment, and relevant operational policies.

Importantly, the NMS is kept under regular review to ensure it evolves alongside changes in the sector and early years childcare and play policy development.

The proposals intend to support the registered childcare and playwork sector and bring benefits to providers, children and families in the short and long term.

The proposals will contribute towards realising the well-being goals relating to a healthier Wales, a more equal Wales, a Wales of cohesive communities, a prosperous Wales and a Wales of vibrant culture.

## **Integration**

The Welsh Government's overall vision within the [children and young people plan](#) addresses the importance of children having the best start in life, including high-quality early years services and support for parents or carers.

At its core, the aim is that all children will have a high-quality stimulating learning and care experience in any education and childcare setting they attend. This includes better access to early education and childcare that meets their individual diverse needs and circumstances.

All the programme plans and commitments integrate with the drive to support high quality, accessible childcare which is inspected by [Care Inspectorate Wales](#) and supported by the NMS to ensure compliance with the regulations.

The NMS review has been carried out in conjunction with other Early Years Childcare and Play reviews of the Exceptions Order and the Childcare Sufficiency Assessment to ensure

alignment and integration. Working in this way allows us to consider the issues systemically and understand any impacts.

### ***Prevention***

Access to quality childcare can help to improve children's health and well-being, and it can help children to learn about the environment and the world around them, enriching their lives for their onward journey into adulthood.

Our vision is for children and young people to access regulated childcare and play services that are safe, high-quality and run by a skilled and experienced workforce.

Parents can be assured that their children are cared for in safe and well-run environments. Families can therefore have access to choices when choosing childcare so that they can balance their work and family priorities. Children have valuable opportunities at a young age to develop both socially and cognitively in an environment that meets their needs.

Registered providers will benefit from unambiguous and clear guidance on the requirements that they must meet under regulation and inspection.

### ***Collaboration***

As set out in the engagement section above, we have worked with stakeholders from across the childcare and playwork sector to consider and analyse the recommendations in detail. We have encouraged challenge and taken expert advice from stakeholders on considering any potential impact of proposals that may affect both the long-term availability, safety and quality of care provided, and the sustainability of the sector itself.

### ***Involvement***

The Welsh Government have worked with Care Inspectorate Wales to analyse if proposals can work in practice and tested them with the NMS Advisory Group to explore any unintended consequences. Welsh Government's [Child Poverty Strategy](#) and the [UNCRC](#) were considered throughout and [ECPLC](#) principles have guided the consideration of impact on children aged 0-5.

Our work has involved engagement with childcare and playwork providers, children, parents and key stakeholders to gather evidence and views about the NMS. This information has helped to inform our proposals or ways in which recommendations or concerns can be addressed and has provided a rich source of information for us.

We are committed to involving our stakeholders to identify and address challenges to help inform ongoing NMS improvements.

### ***Costs and Savings***

The overall costs for these proposals are minimal, the focus is on reflecting recommendations from reviews that we are committed to taking forward. This includes improving standards to remove any barriers and provide flexibility to childcare providers

who have been involved in the review work. This increases clarity through guidance and removes ambiguity so that providers can meet the relevant regulations and standards.

Clarity within the standards can increase efficiencies when operating the childcare service. This helps to ensure children receive high quality care and experiences and parents have choice.

Standards for child minders – proposing that a child minder may look after one more child under 5 years of age (optional and criteria is applicable) and other occasions where children may be “classed” as 5 years of age (criteria applies) could improve business sustainability and help parents especially where the child minder is caring for siblings.

Where a child minder works with an assistant they may also care for children on their own (up to two hours only) increases business sustainability and allows the child minder flexibility to pick children up from other settings/schools and therefore offer effective wrap around care for children and families.

The risks and costs of obtaining and storing liquid paracetamol to administer to children in the cases that have been outlined in the proposals, are balanced by the likely benefits to the health and wellbeing of children. Provision of liquid paracetamol is not mandatory.

Sachets of paracetamol sugar free oral suspension each containing 120mg of paracetamol in each 5ml dose are recommended. In general, individual dose sachets have a higher unit cost than other liquid preparations of paracetamol (the cost of a box containing 12 x 5ml sachets of paracetamol suspension (60ml in total) retails at approximately £4.99 compared to a 100ml bottle of paracetamol oral suspension retailing at approximately £3.50). The Welsh Government recommends using sachets because they are easier to store, have labelled expiry dates, and reduce cross-contamination between children. Importantly sachets provide the correct dose by use of a single or multiple sachets, without the need for a measuring spoon or oral syringe.

However, where sachets are unavailable, it may be appropriate for the provider to stock a bottle of liquid paracetamol containing multiple doses. In these cases, careful management of cross contamination should be planned, documented, and implemented by the manager or person responsible for administering medication. It is also necessary for anyone responsible for administering medication to have received information on the importance of following any directions for use such as shaking the bottle well before opening (to ensure correct dosing).

Open Access Playwork standards for First Aid and Other staff qualifications – There could be savings under training costs for open access play settings if the proposals for First Aid training and other staff qualifications are accepted.

## SECTION 8. CONCLUSION

The key drivers for these proposals are recommendations from reviews (cited in Consultation chapter above). Those affected by these proposals have been fully involved in shaping them and we have listened and engaged with our stakeholders throughout to consider the recommendations and develop meaningful and long-term proposals for change. We have considered and prioritised the safety and well-being of the children affected by these proposals alongside supporting the sustainability and viability of private, third sector and public providers.

Any additional proposals that sit outside recommendations from review work have been suggested by our stakeholders and backed up by evidence from engagement sessions with the childcare and playwork sector. These relate to issues that are happening on the ground which we have factored into this review and consultation.

We engaged with parents and children (chapter Engagement) to learn more about what was important to them with regards to childcare. Doing so has shown several areas that can be addressed to increase understanding e.g., *Differences between Registered (the NMS) and Un-registered childcare*, that will form part of wider policy development work such as the Exceptions Order review. We will ensure that our consultation reaches parents and children through collaboration with Children in Wales so that parents can become familiar with registered childcare standards and will continue to promote the Choosing Childcare booklet for parents.

As part of this work and ongoing engagement we will consider the impact of any potential long term changes to the NMS on the safety and quality of care provided. Any proposals developed have been in conjunction with the Care Inspectorate Wales (CIW) who inspect registered settings and members of the Cwlwm childcare consortium and Play Wales who represent childcare and playwork providers.

### 8.2 What are the most significant impacts, positive and negative?

All the proposals if accepted are intended to have a positive impact on families and children cared for, on the sustainability of the sector and can support the sector with the recruitment of highly skilled workers. This helps to ensure the availability of high-quality accessible childcare to families. Accessible high quality childcare provision can have a positive influence on a child's development and help them develop to their full potential. Evidence suggests children from disadvantaged backgrounds benefit more from quality childcare and that it can help redress both developmental disadvantages and the attainment gap.

Co-producing proposals in partnership with the childcare and play sector and umbrella organisations/stakeholders encourages robust feedback mechanisms from which to develop and implement standards that are fit for purpose.

Proposals and supporting guidance will help ensure the NMS takes account of the recommendations from reviews and additional proposals that have been highlighted to us by the sector.

## **Impacts – Positive and Negative**

### **Structure and layout of the NMS document**

#### *Positive*

- ✓ Supports childcare and playwork providers to meet the necessary regulatory requirements for the provision of registered childcare and playwork.
- ✓ The proposal includes structural changes to how the NMS currently looks allowing for a more seamless online experience where providers and parents can navigate to relevant sections of the NMS. The proposal will include a more accessible version of the NMS compatible with mobile devices and printable version.

#### *Negative*

- Changes to structure of a document can take time to embed and get used to.

### **High Quality Provision - What do we mean by High Quality provision?**

#### *Positive*

- ✓ Proposed changes are aligned to Early Childhood Play Learning and Care (ECPLC) principles supporting Welsh Government's vision for high quality childcare and play and respond to requirements of the sector to reduce complexities of guidance documents.
- ✓ Aligning the NMS with ECPLC principles aims to help ensure children have the best possible start in life. Encourages a consistent set of ECPLC principles when caring for children

### **Definitions**

#### *Positive*

- ✓ A revised definition of Open Access Playwork responds to recommendation 11.3 of the MRoP which will help improve understanding of the unique nature of this provision

### **Open Access Playwork standards**

#### *Positive*

- ✓ Responds to recommendation 11.1 of the Ministerial Review of Play (MRoP) regarding standalone proportionate open access playwork standards.
- ✓ Changes to specific standards for First Aid and Staff Qualifications enables the registered provider to operate proportionately

#### *Negative*

- The number of qualified first aiders onsite in Open Access play provisions may be lower than the current requirements.



- We do not know whether the proposals will improve the decline in numbers of open access playwork settings in Wales
- There may still be challenges recruiting staff for short periods of time

## **Medication**

### *Positive*

- ✓ Clarity and guidance provided about administering liquid paracetamol and what to do if a child becomes unwell during their time at the registered setting is provided
- ✓ Helps to protect the health and well-being of the child and increases understanding for parents about arrangements when a child becomes unwell
- ✓ Helps the registered setting to safely administer Liquid Paracetamol in the circumstances described in the standards and guidance

## **Deployment of staff in Daycare**

### *Positive*

- ✓ Clarifying effective deployment of staff (percentages) across the setting rather than on a room-by-room basis in the standards provides a more flexible approach to ratios whilst emphasising the safety, welfare, development and individual needs of children are always met, including those with ALN, emerging needs and disabled children
- ✓ Deploying more staff in individual rooms to meet children's specific needs allows registered settings flexibility based on a considered assessment and whilst still meeting minimum adult: child ratios.

## **Child minder assistants**

### *Positive*

- ✓ Proposals for providing a working towards qualification timescale for child minding assistants to achieve qualifications whilst in employment can ease recruitment issues.
- ✓ Clarification on the length of time a child minding assistant can be left in sole charge of children provides clarity for the sector and mitigates decline in child minding and provides reassurance for parents.

### *Negative*

- Supervising the child minding assistant whilst they are working towards qualification may be burdensome

## **Ratios for child minding**

- ✓ The proposals respond to recommendation 15 from the Independent Review of Child minding and seek to address the decline of the child minder sector due to business sustainability.

- ✓ Proposals offer flexibility for adult to child ratios for children under 5 years old while continuing to offer parents a choice
- ✓ Supports the sustainability of the childcare sector to continue to meet the needs of children and their families and takes account of parental preferences
- ✓ Proposal can also support Welsh Government funding programmes such as the Childcare Offer for Wales and Flying Start.

### *Negative*

- The number of children under 5yrs old that childminders can care for will increase, which may have an impact on the care provided if professional judgement regarding children's needs is not applied effectively by childminders.
- Numbers of child minders may continue to decline despite best efforts
- Parental work patterns, location and choice can influence decisions when choosing childcare options e.g., Day care, child minding

### **8.3 In light of the impacts identified, how will the proposal: maximise contribution to our well-being objectives and the seven well-being goals; and/or avoid, reduce or mitigate any negative impacts?**

The proposals outlined above will play an important part in supporting the general principle of the Well-Being of Future Generations (Wales) Act 2015, which is about making positive interventions now, to benefit people living their lives in Wales in the future.

The updated NMS will help to ensure that children are cared for in a safe, secure and appropriate environment and support our [ECPLC plan](#) and principles which focuses on child development and is key to enable children to have the best start in life.

The proposal contributes towards the Act's Well-being goals, in particular:

#### **A prosperous Wales**

- Supports the sustainability of the childcare and playwork sector as a key part of the foundational economy.
- Enables parents to return to work/ training or education, increase their hours and support those working irregular hours.
- Ensures the availability of regulated childcare places and provides parental choice

#### **A healthier Wales**

- Promotes good health and well-being for everyone, reducing stress and anxiety associated with business sustainability and for families finding additional childcare.
- Providing a safe, caring, nurturing and learning environment for children.
- Access to high quality safe and secure childcare and playwork improves children's physical and mental health and well-being.
- Provides opportunities for children to play.

- Childcare and playwork settings provide children with access to qualified playwork workers who can support their play.

### **A more equal Wales**

- Ensures that all children can access quality provision, helping to reduce the gap between the least and most deprived in our communities.
- High quality childcare provision can have a positive influence on a child's development and help them develop to their full potential. Evidence suggests children from disadvantaged backgrounds benefit more from quality childcare and that it can help redress both developmental disadvantages and the attainment gap.

### **A Wales of vibrant culture and thriving Welsh language**

- The NMS already helps to ensure children can access Welsh medium provision. Opportunities available for children from Welsh speaking families and those who do not come from Welsh medium families, gives them the opportunity to socialise and play through the medium of Welsh. The NMS supports children needs and preferences of language choice being met and understood.

## **8.4 How will the impact of the proposal be monitored and evaluated as it progresses and when it concludes?**

We regularly engage with the sector to seek views on impact of changes made within the NMS. The proposed changes will be subject to consultation and responses received will be considered in finalising any changes to the NMS.

We will continue to seek feedback from the sector on the effectiveness of the updated NMS, and the impact of the additional guidance, considering any improvements that may be required in future. We will also seek feedback on a regular basis from CIW who regulate and inspect childcare settings on behalf of Welsh Ministers.

Not only is it our duty to engage and consult in certain circumstances, but there is clear evidence that involving the public and stakeholders is central to successful policy and delivery. In keeping with the Well-being of Future Generations (Wales) Act 2015, we are committed to involving people within our policy development work.

## A. CHILDREN'S RIGHTS IMPACT ASSESSMENT

### 1. Policy objectives

#### *Background*

The ambition set out in Welsh Government's Children and Young People's Plan is for "Wales to be a wonderful place to grow up, live and to work, now and in the future". In Wales, we all want the best for our children and want them to have the best start in life. Childhood should be an exciting time for children, a time for fun, exploration, discovery and curiosity. Access to sufficient, high-quality childcare aligns with the commitment in the 'Programme for Government' to ensure that every child has the best possible start in life. By meeting the needs of children through high quality childcare provision, we can support them in their everyday lives and development.

To ensure that children are cared for in a safe, secure and appropriate environment childcare settings are subject to regulation, registration and inspection. Registered childcare settings must have due regard to the '[Childminding and Daycare \(Wales\) Regulations 2010](#)' and the '[National Minimum Standards \(NMS\) for Regulated Childcare for children up to 12 years](#)'. The NMS are designed to assist providers and settings to meet the regulations that are relevant to the service they provide. Registered persons must have regard to the standards which relate to the type of care provided.

The aims of the NMS 2024-2025 review, contribute to our commitments to reduce complexity, improve accessibility and ensure sustainability by ensuring that the NMS has:

- Standards to support high quality play, learning and care provision.
- Standards which provide reassurance to parents that provision meets children's needs and their wellbeing.
- Standards to equip providers to meet relevant regulations.
- Standards aligned to Early Childhood Play, Learning and Care (ECPLC) principles setting out conditions for high quality childcare and play.
- Proportionate standards.

The proposed changes to the NMS are as a result of recommendations from the: [Review of the National Minimum Standards for Regulated Childcare \(2019\)](#), [The Ministerial Review of Play Report \(2023\)](#) and [The Independent review of childminding \(2023\)](#), along with information gathered during pre-consultation events with the sector. We have collaborated with a range of partners and representatives in the childcare and playwork sector to review the key recommendations whilst also gaining an understanding of how the NMS is working for them, considering challenges faced by the sector and evaluated how best to address them. To gain a broad overview and understand what good childcare looks like from the perspective of parents and children we worked with Children in Wales through focus groups and framed questions to children and parents.

The key priority for any proposed changes to the NMS is to provide greater clarity and guidance to the childcare and playwork sector across a number of key areas with a focus on providing greater flexibility, sustainability and viability in terms of NMS requirements.

Careful consideration has been given to the impact of any proposed changes to the NMS on the safety and quality of care to ensure children in Wales can access quality childcare, play and activities that meet their needs and those of their families. The review has been carried out in a way that has ensured that the best interests of children are prioritised and have been central to consideration and decision making.

The benefits of undertaking this review and consultation allow Welsh Government to consider the NMS critically with a wide audience, ensuring they are continuously improved, and are fit for purpose in supporting good quality childcare and do not cause barriers to practice.

## **Consultation Proposals**

The NMS review has been carried out in conjunction with other Early Years Childcare and Play reviews, namely of the Exceptions Order and the Childcare Sufficiency Assessment arrangements to ensure alignment and integration. Working in this way allows us to consider the issues systemically and understand any impacts.

All the changes proposed involve the drive to support high quality, accessible childcare which is inspected by Care Inspectorate Wales (CIW) and supported by the NMS to ensure compliance with the regulations.

The proposals will be subject to a 12-week consultation when the views of stakeholders, providers and the wider public will be sought on the proposed changes to the NMS. This will include organisations which are family-facing and those which represent the interests of children in Wales, as well as the Children's Commissioner, Future Generations Commissioner and the Welsh Language Commissioner. CIW, Social Care Wales, the CWLWM childcare consortium, Play Wales and local authorities will support the consultation process, ensuring it is publicised with childcare and play work providers across the sector.

The Welsh Government will use its digital channels and existing networks across all relevant policy areas to raise awareness of the consultation and to engage a diverse range of people. An Easy Read version will be available.

We intend to consult on the following proposals with a broad range of stakeholders over Autumn 2025. Following analysis of feedback, we will publish a Summary of Response by Spring 2026 and implement the necessary changes in incremental stages thereafter with support from our stakeholders. The wording of the final updated NMS guidance will be informed by feedback received from the consultation.

Consultation proposals outlined below are structured into topic areas with evidence to explain the reason for any changes. For the purpose of this CRIA, we have only considered impacts on questions which will be consulted on as part of the consultation. The consultation questions we have developed will gather views about how the changes proposed may affect children's rights. Further detail relating to each proposal and consultation questions is provided in the correlating [NMS Consultation Document](#).

## Structure and layout of the National Minimum Standards

Following the review of the NMS in 2019 a recommendation relating to its structure and presentation was made by Recommendation 20: *Explore ways of simplifying current NMS*. As a result of this, we have engaged and collaborated with our NMS Advisory Group, and we intend to consult on an online accessible version of the NMS. The NMS will be developed as HTML (online) format, hosted on [www.gov.wales](http://www.gov.wales) which will allow easier navigation for the sector by making it simpler for each sector area to view only the standards which are specific to them and will also present relevant regulatory requirements and best practice information. This format will also support an easier to follow document for parent and carers as they will be able to view standards relating to specific childcare service types, such as child minding, day care and open access play. HTML formats result in a simpler presentation of the NMS to provide better clarity for providers and enhance digital literacy by allowing the use of accessibility tools. This will be easy to view on a mobile phone, laptop and tablet and will meet Welsh Government accessibility standards. There will also be the option to print the document to support those settings that prefer a hard copy.

We intend to consult on a draft example of Standard 12: Food and Drink, which demonstrates how the NMS could be presented in a HTML online format to improve structure, layout and user experience. This proposal will support childcare and playwork providers to meet the necessary regulatory requirements for the provision of registered childcare and playwork. It will also allow for a more seamless online experience where providers, parents and carers can navigate to relevant sections of the NMS specific to them. The consultation seeks to find out whether it is helpful to show the regulations and links to best practice in each standard within the new layout, which if agreed, is intended to support providers in achieving high-quality childcare. Providing links to further guidance may drive improvement and further ensures childcare settings have access to and are made aware of guidance to support them. It will place a focus on the expectation that standards should be exceeded where possible by considering best practice documents.

This will have a positive impact on all children who attend childcare and play settings across Wales and help ensure that outcomes for children are met with the highest possible standard.

## High Quality Provision – *What do we mean by High Quality Provision?*

Published in March 2024, the [Early Childhood Play, Learning and Care](#) (ECPLC) Plan sets out a vision for how childcare, playwork and nursery education settings prior to statutory school age (0–5-year-olds) can support the development of babies and young children's social, emotional, cognitive and physical needs. While ECPLC focuses on the early years, its principles of high-quality, rights-based, child-centred provision are also relevant and influential across the broader age range, including children aged 5–12, particularly within Out of School childcare and Open Access Play settings. As part of the longer-term vision for Early Childhood Play Learning and Care (ECPLC) and embedding a children's rights approach to policy making, we are updating the NMS to include the voice of the child

alongside further developing babies and children's well-being outcomes within each standard to align with ECPLC principles.

We intend to consult on the proposal to update the introduction chapter in the NMS - "*What do we mean by High Quality Provision*", to further strengthen information and requirements with regards to quality to ensure alignment with ECPLC principles. The proposal to further align ECPLC and the NMS was supported by our stakeholders during engagement sessions with the childcare and playwork sector.

If the proposed changes are agreed, this will help to provide a clearer link between ECPLC principles and the NMS and highlight to providers what is expected from them to achieve best practice and high-quality provision which will assist them in offering high-quality play, learning and childcare services. This will assist settings and practitioners in offering high-quality play, learning and childcare services not only for children in the early years but also for those up to age 12. It also supports the Welsh Government's vision for high quality childcare and play and responds to requirements of the sector to reduce complexities of guidance documents. Parents and carers will have a better understanding of what high quality childcare is, enabling them to make better informed decisions when choosing childcare. This will have a positive impact on children who attend child minding settings across Wales by ensuring that they have practitioners who understand and have access to tools to enable them to deliver a high-quality provision to give them the best possible start in life.

## Definitions

The Ministerial Review of Play (MRoP) report recommendation 11.3 asked the Welsh Government to review and update the definition of open access playwork and the settings where it takes place and make relevant revisions to the NMS. From engagement work with members of PETC (Playwork Education and Training Council) Wales and Play Wales a new definition for Open Access Playwork is being proposed and we are consulting on approval of this definition and whether it reflects provision accurately. This forms part of our intention to keep the NMS under review and respond to the recommendation of the Ministerial Review of Play.

We intend to consult on this new definition and whether it reflects provision more accurately. At the same time, and for completeness, we are reviewing other definitions in the NMS and seeking views on whether providing examples of the sector types would be helpful. If the proposed changes are agreed, this will help to improve understanding of the unique nature of this type of provision for service users, children, parents and carers, as well as Care Inspectorate Wales (CIW).

This will have a positive impact on children who attend such settings across Wales, particularly children aged 5 years and over by ensuring that they are clear about the range of open access play settings as outlined within the Wales – a Play friendly Country statutory guidance.



## Open Access Play Standards

The Ministerial Review of Play reported on its [findings](#) in November 2023 which included key recommendation 11: To Review child minding and day care regulations and orders relating to playwork. Specific recommendations 11.1 and 11.3 that impacted on open access playwork in the NMS were accepted.

Recommendation 11.1 contains two parts. The work relating to Care Inspectorate Wales inspection regime is a separate Welsh Government work stream and does not form part of this consultation, this will be reported on separately as part of the Ministerial Review of Play reporting cycle.

The second part is related to developing standalone open access playwork standards and is relevant to this consultation. This work has focused on reviewing current standards that hinder the registration of open access play provision, aiming to prevent a further decline and increase registered provision, while adhering to The Child Minding and Day Care (Wales) Regulations 2010. As open access playwork is currently classed as daycare and underpinned by the regulatory requirements within the [Child Minding and Day Care \(Wales\) Regulations 2010](#), some NMS standards, or parts thereof, do not apply to such settings due to the nature of the provision. Therefore, this work will involve the development of proportionate bespoke standards for open access play settings to reflect the unique nature of this provision.

Officials have aligned the NMS standards with relevant regulations and, in collaboration with partners, have begun to develop a proportionate approach to these standards for open access playwork provision. The updated standards will include a new format aligned with the draft shared of the proposed revised structure and layout of the NMS to include a well-being outcome, the voice of the child within each standard, and also proposes that there will be links to regulations and further guidance, depending on responses received within the consultation. Following the consultation, it is proposed that the web team develop these standards as a HTML version, using the format suggested under the Structure proposal.

After reviewing the NMS standards, we view that most standards will require changes to wording only and will not require full consultation. However, for **Standard 10: Healthcare** specifically open access play standards **10:28, 10:29 and 10:30** and **Standard 13 (DC): Suitable person (Day Care) Other Staff Qualifications - 13.9 (DC) For Open Access Play** we need to explore further the impacts of any changes and consider any unintended consequences of changes.

### **First Aid Training – Open Access Play: Standards 10: Healthcare – Standards 10:28 and 10:29**

The prescribed qualification and first aid requirements in the NMS are not aligned with the nature of provision where temporary staff are needed for limited operating periods, leading to challenges in employing individuals for these temporary roles.

By proposing a more proportionate approach for this area of the sector, there will be positive effects in terms of cost, recruitment, and employability. Therefore, the consultation seeks views on whether Standard 10 - First Aid Training could be amended and made more proportionate for the open access play sector. This is in relation to the requirement

for the number of first-aid qualified staff being at least one person at all times having a first aid qualification, with having contingencies in place to have more staff qualified, working from the premise that more trained staff is beneficial, and subject to a risk assessment of the types of activities undertaken. This approach will need an assessment and consideration the type of service and activities being provided, the location and size of the provision, and the specific needs of the children who attend to support decision making, rather than adhering to a prescribed requirement.

This adjustment reduces the number of first aid trained staff required to be present at all times. This could be a disbenefit for the children who attend, however a risk-based approach with more precise identification of needs is expected to balance these considerations.

### **Standard 13 (DC): Suitable person (Day Care) Other Staff Qualifications - 13.9 (DC) For Open Access Play**

Play Wales have said that there is difficulty sourcing staff to meet the NMS “staff qualification” requirements due to its temporary nature. The current requirements for the number of qualified staff with specific qualifications to work in this temporary provision presents challenges as the prescribed qualification requirements in the NMS do not align with the nature of provision where temporary staff are needed for limited operating periods. Therefore, the consultation proposes to consult on making amendments to Standard 13.9 (DC) for open access play for the person in charge to hold at least a level 3 play work qualification and 50% of all other staff to hold a level 2 qualification in playwork. The Registered Person must ensure the unqualified staff or volunteer(s) are competent and responsible, fully supervised, and the required checks have been completed. Any qualification must be recognised on [The Playwork Education and Training Council \(PETC\) for Wales List of Required Qualifications](#) for Playwork (or any lists which supersedes this) which is appropriate to the post.

The proposed changes are to provide a proportionate set of standards that recognise the often temporary nature of Open Access Play and will support the sustainability of the sector. This will support working towards the goal to increase the number of registered services and provide more children with access to safe play areas staffed by qualified individuals. The changes to specific standards for First Aid and Staff Qualifications enables Registered Providers to operate proportionately and parents can be assured that there will be competent and responsible staff running the service who will have risk assessments in place to guide their practice, and for first aid qualifications.

This proportionate approach to Open Access play standards is expected to positively affect children attending open access play settings throughout Wales. While there may be a potential decrease in the number of qualified staff, this disbenefit is anticipated to be offset by the increased opportunities for children to explore and play at registered open access play settings. The designated person in charge will be responsible for ensuring that the service is staffed by playworkers who adhere to established standards and guidance, supporting their competence and accountability.

## Standard 11: Medication – Liquid Paracetamol

We already have standards within the current NMS to protect and strengthen the rights of children in childcare settings on when staff can administer prescribed medication to children. However, following concerns highlighted by Care Inspectorate Wales (CIW) around the need for more clarity regarding the administration of non-prescribed medication (Liquid Paracetamol) to support children's health and well-being within registered child minding and daycare settings, the Welsh Government issued a [Circular Letter 011/24](#) in December 2024. This was done as a matter of urgency to protect children's health and well-being when they became unwell whilst being cared for within registered child minding and daycare settings.

NMS Standard 11 for medication does not currently fully address what arrangements can be made around non-prescribed medication and does not provide additional guidance on arrangements for provision of Liquid Paracetamol in the circumstances described in the circular. Following advice from health officials, guidance issued within the circular letter now enables providers to possess and retain single dose sachets of Liquid Paracetamol for administration to children attending the registered setting. The recommendation is the use of sachets as it avoids the risk of cross contamination that a bottle may pose. However, there may be an impact on cost of purchasing these to the childcare setting as these are noted as being more expensive than a bottle. Therefore, to mitigate this impact settings may choose to stock a bottle of liquid paracetamol containing multiple doses. In those cases, careful management of cross contamination should be planned, documented, and implemented by the manager or person responsible for administering medication.

We intend to formally consult on changes to NMS Standard 11 which will show the distinction between prescribed and non-prescribed medication and include that pharmacies can now prescribe certain medications. Additionally, the development of a new NMS Annex will provide further guidance for administering liquid paracetamol when children become unwell at a setting. Changes to Standard 11 wording, if agreed, will support registered providers to promote and protect the health needs of the children in their care, and help to ensure compliance with the NMS and regulations by providing settings with clearer guidance to ensure best outcomes for children. Additionally, it will offer reassurance to parents that subject to their agreement, their child can receive medical intervention in the form of Liquid Paracetamol if needed to prevent any health needs from escalating in an emergency situation.

This will have a positive impact on children who attend childcare and play settings across Wales by ensuring that their health and wellbeing needs are prioritised by enabling staff at each setting to provide children with prompt treatment for the relief of pain or high temperature in children who become unwell at a setting. This will help to prevent any occurrences escalating to an emergency situation. This change will establish a clear framework enabling staff to collaborate effectively with parents and carers to support the wellbeing and care of children.

## Deployment of Staff - Standard 13 (DC) Suitable Person

The Welsh Government have evidence from the sector and CWLWM consortium on a need to clarify how the percentages of qualified staff, unqualified staff and volunteers are

effectively deployed across the setting and whether the minimum percentages outlined in the standards are per room or across the setting as a whole. Additionally, there has been requests for clarification on when settings have employed additional staff and volunteers to support with meeting children's individual needs, which has appeared in some instances to dilute the percentages of qualified, unqualified and volunteer ratios overall. At present, there is a risk that settings will not consider additional volunteers to support the children and their aspirations to do so, due to this concern. Proposals are put forward to mitigate this by strengthening guidance within the NMS to state where there are staff who are employed to support specific children with additional needs, they may not need to be included in the ratios, subject to the minimum staffing ratios being met and there is no negative impact of additional staff on children's wellbeing.

The proposal seeks views to introduce additional wording into Standard 13 (DC): Suitable Person, to offer clarification on deployment of staff across settings. This will also provide information on instances when settings may include additional volunteers or staff, which are over and above the required adult: child ratios, to support with meeting individual needs which should not be seen as a dilution if the outcome and impact on children's needs is enhanced.

If the proposed changes are agreed, clarity will be provided that percentages of staff are across the setting and not per room and will give flexibility to providers to deploy staff effectively based on the needs of the children and staff competencies with their setting. It will provide a more flexible approach to ratios whilst emphasising the safety, welfare, development and individual support needs of children are always met, including those with ALN, and disabled children. This in turn will provide assurance to parents that their child's setting can adapt their staffing levels to meet the needs of children and support their wants, rights and any adaptations.

This will have a positive impact on children who attend childcare settings across Wales by ensuring that staff are deployed effectively to be able to care for them and meet their needs effectively, with additional staff or volunteers being employed to enhance their overall experience and support their development whilst still meeting minimum adult: child ratios. The effective deployment of qualified and unqualified staff will be considered by CIW during inspections.

### **NMS Guidance for Child Minder Assistants - Standard 13: Suitable Person (CM) and Annex A**

Following the previous requirement in the 2023 NMS refresh where child minding assistants were required to complete a recognised qualification by November 2024, concerns were raised by Coram PACEY Cymru (formerly PACEY Cymru) on behalf of their members to highlight that this requirement may have resulted in some assistants leaving their positions, and caused challenges where assistants have been newly appointed, causing ongoing recruitment challenges for qualified child minding assistants. Therefore, we will consult on a proposal that will allow some flexibility (within a set timeframe) which may help maintain continuity in the child-minding sector. Through the proposal, this will mean that child minding assistants can be employed initially without a formal qualification and 'work towards' the required qualification within a 6-month

timeframe. However, a caveat has been considered to ensure the safety of children, with amendments to Standard 13.4(CM) that child minding assistants cannot be left alone in sole charge of children until the qualification is obtained. This will help to mitigate any risks associated with the assistant being unqualified for a short period of time following employment.

In the previous refresh additional guidance was provided to support child minders who had assistants. However, Care Inspectorate Wales and Coram Pacey Cymru note that child minders have expressed the need for clearer guidance regarding conditions whereby assistants may have sole charge of children because the current lack of a time limit within the NMS is leading to confusion and potential misuse. Therefore, we intend to consult on the maximum length of time a qualified child minder assistant can be left in sole charge of children.

If the proposed changes are agreed, this will help to provide clearer guidance and support child minders in managing their practice by enabling them to more easily appoint an assistant to support and enhance the provision for their children. It will remove any ambiguity about the role of the child minder assistant compared with the registered child minder as well as ensure compliance with the NMS and regulations. Amending Standard 13.4 (CM) to allow child minding assistants to be employed without a formal qualification but be working towards a qualification will also ease pressure on recruitment. A two-hour time limit for child minding assistants to be left in sole charge of children, subject to all other requirements within the guidance being met, will help to provide clearer guidance and support child minders in managing their practice and provide reassurance for parents. Both of these changes will support the sustainability of the child minding business model with the subsequent benefit of a range of childcare solutions being available to parents and carers. This will have a positive impact on children who attend child minding settings across Wales by providing greater clarity for their parents and carers about the role that child minder assistants will have in caring for their children and enable them to make informed decisions about their child's care.

### **Ratios (Child Minding) - Standard 15 (CM):**

[The Independent review of childminding \(2023\)](#) was undertaken to better understand the reasons for the decline in the number of child minders. [Recommendation 15](#) asked for Care Inspectorate Wales to consider introducing more flexibility in the way child minders can apply NMS staffing ratios during short periods of the day to enable child minders to better accommodate out of school childcare before and after school as well as overlapping wrap around care during lunchtimes.

Following the rapid decline in child minders over the past 5 years and wanting to continue to offer parents a choice of childcare, the consultation seeks agreement to revise the current child minding ratios. Following thorough analysis with the NMS Advisory Group of the proposals, we intend to consult on amending the ratios for childminders to offer flexibility for under 5-year-olds. This will mean increasing one child under 5 years (but not under 18 months) than what is currently agreed. Additionally, there are proposed changes for children who are due to start full-time statutory school / education in September, to be classed as over the age of 5-years during the summer holidays prior to this for the purposes of the ratios relevant to child minders. Also, for children aged 3-5 years who

attend an educational provision or a combination of an educational provision and wrap-around childcare within school hours at another setting for five or more hours per day, may be classed as over 5 years for the purposes of the ratios relevant to child minders.

If the proposed changes are agreed, this will help to support the sustainability of the child minding sector by offering flexibility for adult to child ratios for children under 5 years. This will have a positive impact on children who attend child minder settings across Wales by ensuring continuity of care for families and children by supporting sibling groups to be able to be cared for together given the average age gap of siblings which will have an overall positive impact on their well-being. Children will gain the dual benefit of being cared for by a known professional and with their siblings. Parents will be able to choose a child minder that they feel would best meet the needs of their child and care for their children together. This may be particularly significant for parents of disabled children, those with cultural, religious or language preferences and parents who work atypical hours.

## Summary

The consultation review of the NMS 2024-2025 has been carried out in a way that has ensured that the best interests of children are prioritised and have been central to all considerations and decision making. The consultation seeks to recognise and value the views of those who engage in the consultation process. Those affected by these proposals have been fully involved in shaping proposals and we have listened and engaged with our stakeholders throughout to consider the recommendations and develop meaningful and long-term proposals for change. We have considered and prioritised the safety and well-being of the children affected by these proposals alongside supporting the sustainability and viability of private, third sector and public providers.

All the proposals if accepted are intended to have a positive impact on children cared for, on the sustainability of the sector and can support the sector with the recruitment of highly skilled workers. This helps to ensure the availability of high-quality accessible childcare to families. Accessible high quality childcare provision can have a positive influence on a child's development and help them develop to their full potential. Co-producing proposals in partnership with the childcare sector and umbrella organisations/stakeholders encourages robust feedback mechanisms from which to develop and implement standards that are fit for purpose.

Our intention is to consult on any proposed changes with a broad range of stakeholders in September 2025. **We are** planning to engage with organisations representing the interests of children and families as part of the formal consultation. A 12-week formal consultation exercise on any amendments to the statutory guidance will be undertaken.

Full consideration has also been given to the NMS review in connection with the work underway on the Childcare Sufficiency Assessment (CSA) review and Exceptions Order (EO), as they are three interconnected pieces of work being taken forward by the Early Years, Childcare and Play division.

Once the consultation phase concludes, responses will be analysed and the NMS and associated guidance will be refreshed with input from our partners (local authorities, childcare and play umbrella organisations in Wales). This will help ensure the NMS

supports the childcare and playwork sector through the provision of clear guidance to meet the relevant requirements of regulations.

## 2. Gathering evidence and engaging with children and young People

The availability of quality childcare, play and activities offers vital social, economic and educational benefits to children and families. Research commissioned by the [Department of Education \(DfE\) in 2022](#) identified that the main reason for parents using childcare was to facilitate them to work, but that the child's socialisation and development was also a key benefit. Parents viewed availability of quality and flexibility of care as imperative to meet the needs of children and their families. Local Authority Childcare Sufficiency Assessments and engagement with the sector tells us that the Coronavirus pandemic and the cost-of-living crisis have affected the sustainability of childcare sector, its workforce, and the working lives of parents and children.

Evidence shows that access to high quality childcare and play is beneficial for all children in their early years<sup>2</sup>. It can play a significant role in addressing the attainment gap, in developing their social skills and supporting children in preparing for school. Skilled, supported and well-qualified practitioners are a key element of high-quality childcare and playwork and make a proven difference to children's learning and development, particularly for children from low income and at-risk families<sup>3</sup>.

We want children from all backgrounds across Wales to have the best start in life and those who care for our children play a vital role in helping us achieve this vision set out in our 10-year childcare play and early year's workforce plan<sup>4</sup> - to support and develop a highly skilled workforce regarded as a profession and career of choice.

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<sup>2</sup> <https://www.eif.org.uk/blog/early-years-education-what-does-high-quality-provision-look-like>

<sup>4</sup> [Early-Years-Impact-Brief.pdf \(suttontrust.com\)](#)

<sup>5</sup> [Childcare, play and early years workforce plan | GOV.WALES](#)



The proposed changes to the NMS, if agreed and supported by the consultation seek to have a positive impact on the sustainability of the sector and will support the sector with the recruitment of highly skilled workers. This in turn will ensure the availability of high-quality accessible childcare and have a positive influence on a child's development, helping them to develop to their full potential.

## **Wider Policy Engagement with Children**

The MRoP findings were inclusive of engagement with children and their voices and views formed part of the recommendations. In Spring 2024, Children in Wales were commissioned to undertake research to engage with children to inform the review of '[The Child Minding and Day Care Exceptions \(Wales\) Order 2010](#) and the '[National Minimum Standards \(NMS\) for Regulated Childcare for children up to 12 years](#)'.

The overriding focus for these reviews was to ensure that children in Wales can access quality childcare and play activities that meet their needs and those of their families. We worked with Children in Wales through focus groups and framed questions to ascertain children's views on childcare and play experiences, what they like about their experience and consider any barriers. Of the childcare settings from across Wales who were invited to take part in this consultation, we specifically targeted those who had previously attended the Early Years Rights training that Children in Wales facilitate. This training is specifically targeted at Early Years practitioners to raise awareness and understanding of Children's Rights and Participation and helps practitioners to understand the policy and legal frameworks supporting children's rights and how to ensure children's voices are heard in their practice. It supports practitioners to recognise babies, children and young people as active agents in their own lives, who are entitled to be listened to, respected, safeguarded, and granted increasing autonomy in the exercise of rights at different stages of development and maturity. This meant that the practitioners involved in the focus groups had a good understanding of Children's Rights and how to run consultation activities. Perspectives were gained from a diverse group of parents and children's views (including disabled children and children with ALN) in respect to childcare and how they feel about attending.

Undertaking our engagement has provided a rich source of information to consider what works well and more areas we need to consider for future reviews and other workstreams. Not all the feedback we received related to the NMS directly. These other areas referred more broadly to recruitment and retention issues, and availability of training which are beyond the scope of the NMS review.

Babies and children under the age of 2 were not included within the engagement, therefore a consultation exercise with parents was undertaken on their behalf. The information from parents was collected using a combination of focus groups and some one-to-one interviews.

- For children aged 0-2, there was a strong focus on 'safe places' and 'keeping children safe'.
- Children aged 2-5 shared the importance of their caregivers to them and reflected how they are central to children's feeling of safety, security and happiness. Children's responses showed that a majority of the children engaged with, felt attending childcare was a happy, fun experience for their enjoyment and a space to play and make connections.
- Older children aged 4-10 were aware of how childcare is used as an opportunity for them to play, socialise and learn skills but also to allow their parents / guardians to work.

There was also a consensus from parents of children with additional learning needs (ALN), that they had insufficient childcare choice due to very few settings being able to meet children's individual needs.

This review highlights the diverse needs and experiences of parents in Wales regarding childcare. In assessing impact of any changes to the NMS at consultation, we have considered the broad topics which have emerged from the findings of the exercise. Some of these included the importance of safety, affordability and staff training in childcare settings. Parents emphasised the need for childcare to provide a safe, trusted environment where children can learn, socialize, and develop. Some of the barriers to accessing childcare included high costs, limited availability, and inadequate support for children with ALN. Families of children with ALN reported a lack of inclusive, adequately staffed childcare options, highlighting the need for better training and resources. Some recommendations from parents included improving access to information, promoting cultural competency in childcare, offering more affordable options and ensuring that settings can meet the specific needs of all children.

Some feedback received from this engagement work is linked to and has helped inform specific proposals for the review of the NMS 2025. This has helped to ensure children's rights, and their right to play is upheld, with their views and feelings being taken into consideration when developing policy proposals for this review. For example:

- **Support for children with ALN:** This links to the proposal to update Standard 13 (DC) Suitable Person to include additional wording to offer clarification on deployment of staff across settings. The proposal wording will include instances when settings may include additional volunteers or staff, which are over and above required adult: child ratios, to support with meeting individual needs. This should not be seen as a dilution if the outcome and impact on children's needs is enhanced. If the proposed changes are agreed, this will provide clarity that percentages of staff are across the setting and not per room and will give flexibility to providers to deploy staff effectively based on the needs of the children and staff competencies with their setting. The proposed changes will also provide assurance to parents that their

child's setting can adapt their staffing levels to meet the needs of their child / children.

- **Child minders leaving or deregistering:** This links to the proposal to update Standard 15: Ratios (Child Minding) to seek agreement to propose changes to the current child-minding ratios by increasing one child under 5 years (but not under 18 months) than what is currently agreed. Additionally, there are proposed changes for children who are due to start full-time statutory school / education in September, to be classed as over the age of 5-years during the summer holidays prior to this for the purposes of the ratios relevant to child minders. In addition, for children aged 3-5 years who attend an educational provision or a combination or an educational provision and wrap-around childcare within school hours at another setting for five or more hours per day, may be classed as over 5 years for the purposes of the ratios relevant to child minders.

The [Independent review of childminding](#) noted that there is often lack of available places for siblings due to the ratios which is affecting continuity of care for the families. If the proposed changes are agreed, this will help to support the sustainability of the child minding sector and continuity of care for families and children. This will have a positive impact on children who attend child minding settings across Wales by ensuring continuity of care and remaining with their siblings which has an overall positive impact on their well-being.

- **The need for childcare to provide a safe, trusted environment where children can learn, socialize, and develop:** This links to our proposal for high quality provision where the child's voice will be included within each NMS standard. The consultation proposes to update the section within the introduction chapter of the NMS entitled "What do we mean by High-Quality Provision?" to further strengthen information and requirements with regards to quality to ensure alignment with ECPLC Principles. If the proposed changes are agreed, this will help to provider a clearer link between ECPLC principles and the NMS and highlight to providers what is expected from them to achieve best practice and high-quality provision which will assist them in offering high-quality play, learning and childcare services. The proposed changes will also enable parents and carers to have a better understanding of what high quality childcare is, which may also assist in making informed decisions when choosing childcare.

## Engaging with Stakeholders and Children

The Welsh Government is considering proposals to change elements of the NMS. Any significant changes to the NMS guidance that impacts upon service users and providers will be subject to a formal public consultation. As part of the NMS review, pre-consultation events and working groups were held which included representatives from a range of organisations and registered providers of the childcare and play sector including AWARE (local authority childcare leads), Social Care Wales (regulates the social care workforce in Wales), Estyn (Education and training inspectorate for Wales), Care Inspectorate Wales

(independent regulation and inspection for childcare settings in Wales) Play Wales and CWLWM (a consortium of five childcare and play partners). Play Wales, CWLWM partners and local authority childcare and play leads are the voices of the regulated childcare sector in Wales.

Furthermore, certain recommendations from the MRoP are being considered within this consultation, and the findings from that review reflect engagement with children, with their perspectives incorporated into the recommendations. These measures have ensured that the review takes children's viewpoints into account.

These key organisations will support the consultation process through communication with childcare and playwork providers across the sector. We remain committed to engaging our stakeholders to identify and address challenges, thereby informing ongoing improvements to the NMS.

The proposal aims for high quality play, learning and childcare provision in Wales which supports a professional and sustainable workforce. With a long-term vision of supporting and developing the recruitment of skilled staff across settings and supporting the retention of staff within the childcare workforce. The intended outcome of the consultation is to gather the views from the wider public on proposals.

This CRIA will be updated following the outcome of the consultation and as part of ongoing engagement we will assess the impact of the changes in operation. When developing the voice of the child within each NMS standard to align with the ECPLC principles for high quality childcare and play we will engage widely with those working in and accessing childcare and playwork settings, including children and young people.

Since our proposed changed to the NMS primarily concern children under the age of 5 years' parents will be responsible for completing the consultation on behalf of their children. There are parts of the consultation which refer to the open access play settings for children aged 5 and above. An easy-read version of the consultation document, along with a response form, will be made available to facilitate this process for parents. This initiative will be promoted through various networks, including the Children's Commissioner for Wales and Children in Wales, to encourage parental involvement in gathering children's views as appropriate.

In relation to developing the voice of the child and wellbeing outcomes within each NMS standard to align with the 'Early Childhood Play, Learning and Care' (ECPLC) principles, we plan to engage with children via 'Children in Wales' to help support us with this development. This will ensure that through focus groups, the voice of both children and parents are heard in relation to the development of these parts of standards and will help us to deliver a consistent approach to nurturing, learning and development through provision of high-quality play-based childcare and early education opportunities, for all children, allowing them to thrive. We will also have due regard, to Article 12 of the United Nations Convention on the Rights of the Child which states: *children have the right to say what they think should happen, when adults are making decisions that affect them, and to have their opinions taken into account.* Young children's voices are heard in a range of

ways and ‘voice’ is only one way to communicate, especially for younger children, particularly for children aged 0-5 years.

Therefore, a range of creative approaches to both hearing and listening to their voice will be required when developing the voice of the child and wellbeing outcomes. Following consultation, a selection of questions will be designed based on the developmental level and capability of this age group to support meaningful engagement.

The Welsh Government will continue to work closely with the sector (including working with umbrella organisations and directly with providers, local authorities and other key stakeholders) to ensure that they are informed of developments. Considering this, wherever possible, steps will be put in place to ensure accessible information is provided. We intend to consult on the proposals with a broad range of stakeholders over Autumn 2025, and we will publish a Summary of Response by Spring 2026 and implement the necessary changes in incremental stages thereafter. The wording of the final updated NMS guidance will be informed by feedback received from the consultation.

The impacts for this piece of work are considered positive.

### **Links with other policy areas**

Proposed amendments to the NMS have been considered alongside the current review of [The Child Minding and Day Care Exceptions \(Wales\) Order 2010](#). The standards relating to different age children set out in the current NMS were considered when identifying potential amendments to improve safeguarding of the youngest, most vulnerable children. Specific standards relating to different setting types were also considered.

## **3. Analysing the evidence and assessing the impact**

The changes to the [National Minimum Standards \(NMS\) for Regulated Childcare for children up to 12 years](#) will impact on the safety and wellbeing of children by strengthening standards and providing greater clarity and guidance for childcare providers in how they meet the required standards. There is a focus on supporting the sustainability of the sector and developing the employment of staff across settings to recruit highly skilled workers which could allow settings who are currently struggling to remain operational. There will be a focus on developing the child’s voice and the inclusion of wellbeing outcomes throughout NMS standards. This will ensure that not only is there sufficient, high-quality childcare that meets the needs of children and their families but will also ensure that outcomes for children remain a priority and have a positive impact on all children attending childcare and play settings.

The NMS recognises that all those caring for and working with children and young people have a role to fulfil in promoting children’s rights and helping them to reach their potential as individuals.

Mitigation of potential impacts of the proposals have been identified through distinct expert working groups. The sought outcomes of the proposals have been considered and any changes proposed are set against the best interests of the children and the context within

which they are being cared for. The proposals are supported by relevant additional safeguards and risk assessments as set out by relevant regulations and requirements of registered providers.

High-quality provision is child-centred, inclusive and responsive. It ensures that every baby and child have the right to be heard, the right to play and the right to feel safe and nurtured in an environment that respects their individuality. This is achieved through enabling adults, effective environments and engaging experiences via ECPLC.

The Welsh Government's commitment to children's rights, as outlined in the United Nations Convention on the Rights of the child (UNCRC), underpins high-quality provisions. This means ensuring that:

- Babies and children feel safe and protected from harm (Article 19).
- Their voices are heard and respected in decisions that affect them (Article 12)
- They have time and space to play, explore, and develop at their own pace. (Article 31).
- Their emotional well-being, care, and learning are priorities in nurturing environments.

The table below outlines the [UNCRC articles](#) that are most relevant to the current NMS review 2024-2025.

UNCRC Articles or Optional Protocol	Enhances (X)	Challenges (X)	Explanation
<b>2. Non-discrimination</b> The Convention applies to everyone whatever their race, religion, abilities, whatever they think or say and whatever type of family they come from.	X		<p>The amended NMS will apply to all registered childcare and play settings caring for children from birth up to the age of 12 years.</p> <p>High quality childcare provision can have a positive influence on a child's development and help them develop to their full potential. Evidence suggests children from disadvantaged backgrounds benefit more from quality childcare and that it can help redress both developmental disadvantages and the attainment gap.</p> <p>The NMS already contains standards relating to equal opportunities for children and reflects children's rights.</p>

			<p>The registered person is responsible for ensuring under <a href="#">standard 16 Equality</a> that equality of opportunity and anti-discriminatory practice is promoted in their registered setting, and they must have an equality policy and meet relevant regulations and standards. Anti-discriminatory legislation and good practice links are promoted within the <a href="#">NMS</a>. We already commit to keeping these under review.</p> <p>The Welsh Government's core aim 5 based on the UNCRC is that children should be listened to, treated with respect, and have their race and cultural identity recognised.</p> <p>Changes proposed to flexibility on ratios for childminders ensure that children will gain the dual benefit of being cared for by a known professional and with their siblings. Parents will be able to choose a child minder that they feel would best meet the needs of their child and care for their children together. This may be particularly significant for parents of disabled children, those with cultural, religious or language preferences and parents who work atypical hours.</p> <p>ECPLC principles will be applied throughout the NMS. These are committed to embedding equality and promoting non-discrimination, taking an inclusive and children's rights approach into everything we do. They also support children and young people's participation to ensure the voice of children and parents is accounted for in relation to Additional Learning Needs. They make a significant contribution in mitigating the impact of inequalities, whether it's racism, poverty, disabilities or other societal factors. Such as, lack of opportunities which can have lasting effects on individuals' lives. The standards support removing barriers to ensure babies and young children are</p>
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			<p>supported to have fulfilling and happy childhoods.</p> <p><a href="#">The Welsh Government Anti Racist Action Plan</a> (2022) reflects the Welsh Government's commitment to building an inclusive and equitable society for all Black, Asian and Minority Ethnic people and communities in Wales.</p> <p>The changes proposed will continue to support children in this area, whatever their backgrounds and links to anti-racism tools and best practice will be included within the NMS if the proposal is approved.</p>
<p><b>3.Best Interest of the Child</b></p> <p>All organisations concerned with children should work towards what is best for each child.</p>	X		<p>The best interests of children must be the primary concern in making decisions that affect them. Throughout the review of the NMS, the aim to promote robust safety measures for children has been central consideration, and all decisions have been taken with this in mind. Where there may be any negative impacts related to proposals, mitigations have been carefully considered.</p> <p>The proposed change for NMS standard 13: Suitable Person (CM) and Annex A – NMS Guidance for Child Minder Assistants, if approved, means that child minding assistants can be employed without a formal qualification, providing that it is completed within a 6-month timeframe. However, as this could have a potential negative impact on children being cared for if there is a lack of knowledge, we have considered amendments to Standard 13.4 (CM) to mitigate any negative impacts. This means that assistant will not be able to have sole charge of children during this time / unsupervised, until the qualification is obtained.</p> <p>Additionally, the proposed changes for the revision of the current child minding ratios under standard 15 (CM) seeks to</p>

			<p>increase the children to be cared for under the age of 5 years by one child (but not under 18 months old). The intention is that CIW would, through inspections, assess that the needs of the children are being met and if the needs of children require lower ratios, then this must take priority.</p> <p>Proposals for amendments to Standard 13 (DC) Suitable Person, if agreed, will introduce additional wording to offer clarification on deployment of staff across settings. This will also provide information on instances when settings may include additional volunteers or staff, which are over and above required adult: child ratios, to meet individual support needs. Although this will give flexibility to providers to deploy staff effectively, based on the needs of the children and staff competencies within their setting, this could have potential to have a negative impact on children if not carefully planned and considered dependent upon each setting's individual staffing levels. Therefore, we have mitigated any risks by making it clear that minimum adult: child ratios must still be met and any member of staff who is employed to work with specific children to provide extra support may not be counted within the standard staffing ratios and are employed to enhance the service.</p> <p>The proposed changes for Open Access Play standards seek to amend Standard 10 for First Aid training in such settings to have at least one person at all times with a first aid qualification (full course). This could have a potential negative impact on children if not carefully planned. Therefore, acknowledging the benefits of having qualified first aiders present, to mitigate any risks, we are proposing adopting a risk assessment approach to determine the required numbers of first aid-trained staff. This</p>
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			<p>approach should consider the type of service and activities being provided, the location and size of the provision, and the specific needs of the children who attend, rather than adhering to a prescribed requirement.</p> <p>The Welsh Government's core aim 1 based on the UNCRC is that children should have the best possible start in life providing a basis for their future growth and development.</p> <p>ECPLC principles, which will be embedded throughout the NMS are committed to high-quality provision which is child-centred, inclusive and responsive. It ensures that every baby and child have the right to be heard, the right to play and the right to feel safe and nurtured in an environment that respects their individuality. This is achieved through enabling adults, effective environments and engaging experiences.</p> <p>During pre-consultation engagement with children for the review of 'The Child Minding and Day Care Exceptions (Wales) Order 2010 and the 'National Minimum Standards (NMS) for Regulated Childcare for children up to the age of 12 years' evidence was obtained to ascertain what good childcare looks like. Perspectives were gained from a diverse group of parents and children's views were ascertained (including disabled children and children with ALN) in respect to childcare and how they feel about attending. This has helped us to understand how our decisions affect children, what matters to them and what we need to do to meet their best interests.</p> <p>The amended NMS will focus on the need to properly protect and safeguard children in childcare settings and focus on best outcomes for their well-being.</p>
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			The changes proposed will continue to support what is best for each child.
<p><b>5. Parental guidance and a child's evolving capacities</b></p> <p>Governments should respect the rights and responsibilities of families and direct and guide their children so that, as they grow, they learn to use their rights properly.</p>	X		<p>The review of the NMS aims to ensure children and young people are able to access regulated childcare and play services that are safe, high quality and run by a professional workforce. It aims to provide greater flexibility and clarity in terms of the requirements in the NMS, with the aims of supporting the sustainability and viability of private, third sector and public providers while continuing to prioritise the safety and well-being of the minded children.</p> <p>Parents can be assured that their children are cared for in safe and well-run environments via the availability of clear standards and guidance. Parent/carers and families can therefore have access to choices when choosing childcare so that they can balance their work and family priorities.</p> <p>The review process extensively considers the diverse needs and interests of families and children across Wales. We aim to support the right for families to be able to make choices about the regulated childcare and play services that meet their needs.</p> <p>ECPLC principles build on and recognise the importance of working together with parents and other care givers to support every baby and young child to have the best start in life and to feel empowered, cared for and nurtured.</p>

<p><b>6. Life, Survival and Development</b></p> <p>All children have the right of life. Governments should ensure that children survive and develop healthily.</p>	<p><b>X</b></p>		<p>High quality childcare provision can have a positive influence on a child's development and help them develop to their full potential.</p> <p>The review of the NMS will play an essential role in helping to ensure that children are cared for in a safe, secure and appropriate environments.</p> <p>The Welsh Government's core aim 3 based on the UNCRC is that children should enjoy the best possible physical and mental, social and emotional health, including freedom from abuse, victimisation and exploitation.</p> <p>ECPLC principles support children in having the right to grow, learn and play in a happy, healthy, safe and inclusive environment.</p>
<p><b>12. Respect for the views of the child.</b></p> <p>Children have the right to say what they think should happen, when adults are making decisions that affect them, and to have their opinions taken into account.</p>	<p><b>X</b></p>		<p>As part of the review, we have gained perspectives from a diverse group of parents and children (including disabled children and children with ALN) in respect to childcare and how they feel about attending.</p> <p>This has helped us to understand how our decisions affect children, what matters to them and what we need to do to meet their best interests. We worked with Children in Wales through focus groups and framed questions to ascertain what good childcare looks like. In assessing impact of any changes to the NMS at consultation we have considered the broad topics that emerged from the findings of the exercise.</p> <p>ECPLC principles support children's voices to be heard and respected in decisions that affect them.</p> <p>The NMS requires providers to have procedures in place for children / parents to complain should they be unhappy with their care / service. All</p>

			<p>parents who use childcare and play services within Wales, should be signposted to the NMS as a good practice guide.</p> <p>We will be developing an easy read consultation document to support sharing the document wide with parents in seeking children and young people views on the proposals.</p>
<p><b>18. Parental responsibilities and state assistance</b></p> <p>Both parents share responsibility for bringing up their children and should always consider what is best for each child. Governments must support parents by providing services to support them, especially if both parents work.</p>	X		<p>The provision of childcare plays a crucial role in the lives of Welsh families by enabling parents and carers to access work and training opportunities, which in turn can assist families in moving out of poverty.</p> <p>The review of the NMS aims to support the sustainability and viability of private, third sector and public providers while continuing to prioritise the safety and well-being of minded children. By ensuring the National Minimum Standards are amended and fit for purpose, parents can be assured that their children are cared for in a safe and secure environment.</p> <p>Eligible parents that use registered childcare can access settings registered to deliver Welsh government funded schemes such as Flying Start and Childcare Offer for Wales. In addition, they can use Tax Free Childcare or Universal Credit Childcare schemes which can support them financially, and in having access to choices when choosing childcare so that they can balance their work and family priorities and find a setting that best meets the needs of their child.</p>
<p><b>19. Protection from violence, abuse and neglect.</b></p> <p>Governments should ensure that children are properly</p>	X		<p>Welsh Government monitor how providers care for and safeguard children through Care Inspectorate Wales registration and inspection functions. As part of these processes, they consider the care given by</p>

<p>cared for, and protect them from violence, abuse and neglect by their parents or anyone else who looks after them.</p>			<p>providers and the well-being and development of children. Providers are expected to meet the Child minding and Daycare Regulations as well as the National Minimum Standards set out by Welsh Government, including safeguarding training and reporting obligations. These measures are fundamental to ensuring children are appropriately protected.</p> <p>Welsh Government expects all providers to adhere to the 'Working Together to Safeguard People: Code of Safeguarding Practice' to ensure children are safeguarded by all childcare providers across Wales.</p> <p>In line with this commitment, standard 20 of the National Minimum Standards for children up to the age of 12 years identifies the intended outcomes, that children are safeguarded from harm, abuse and neglect and parents are confident that all possible steps to safeguard children are taken and that safeguarding of the child is first priority and is everyone's responsibility. This standard also supports childcare settings in developing their own safeguarding policies in line with Wales Safeguarding procedures and accessing training which is relevant to their childcare role. In addition to this Standard 13.4 of the NMS identifies that all paid staff receive regular one-to-one supervisions which encourages them to raise any safeguarding concerns.</p> <p>The Welsh Government's core aim 3 based on the UNCRC is for children to enjoy the best possible physical and mental, social and emotional health, including freedom from abuse, victimisation and exploitation.</p> <p>The Welsh Government's core aim 6 based on the UNCRC is that children have a safe home and a community</p>
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			<p>which supports physical and emotional well-being.</p> <p>The review of the NMS will play an essential role in helping to ensure that children are cared for in a safe, secure and appropriate environment.</p> <p>ECPLC principles support babies and children to feel safe and protected from harm.</p>
<p><b>23.Children with a disability.</b></p> <p>Children who have any kind of disability should have special care and support so that they can lead full and independent lives.</p>	<b>X</b>		<p>The NMS review will support with clarifications on effective deployment of staff to meet children's needs, supporting continuity of care and sustainability of the sector, and could allow settings who are currently struggling to remain operational as well as a focus on developing the child's voice throughout NMS standards. This will ensure that not only is there sufficient, high-quality childcare that meets the needs of children and their families but will also ensure that outcomes for children remain a priority and have a positive impact on all children attending childcare and play settings.</p> <p>ECPLC principles are committed to embedding equality and promoting non-discrimination, taking an inclusive approach into everything, we do. They also support children and young people's participation to ensure the voice of children and parents are accounted for in relation to Additional Learning Needs.</p> <p>Many settings are able to offer Tax-free Childcare or Universal Credit Childcare schemes at the same time as the Childcare Offer, as long as no double funding of hours occurs. Tax free Childcare or Universal Credit are available to all parents including those of disabled children up to 1<sup>st</sup> September after their 16<sup>th</sup> birthday.</p>



			<p>Additionally, settings offering the Childcare Offer may also be able to access the Childcare Offer Additional Support Grant to better support the disabled children or children with ALN of eligible parents. This is funding that goes directly to childcare settings to support identified children to enable the setting to provide for their needs, for example specialist equipment or 1:1 staffing.</p> <p>Providers across Wales who provide care to children with individual needs must work in line with standard 4 of the NMS which identifies that each child's individual needs, including any children with disabilities or additional needs (including additional learning needs) are planned and provided for.</p> <p>The Welsh Government has published a parents' guide to rights under the 'Additional Learning Needs (ALN) System and SNAP Cymru provide independent advice and guidance on early years help for parents of young children who have or may have ALN.</p> <p>Flying Start, the Welsh Government's flagship programme, places early identification of need at its core. This initiative provides integrated support to families living in Flying Start areas.</p> <p>The review of the NMS will continue to support disabled children, and those who have additional care and learning needs.</p>
<p><b>24. Health and Health Services</b></p> <p>Children have the right to good quality health care and to clean water, nutritious food and a clean environment so that they will stay healthy. Rich countries</p>	<b>X</b>		<p>Access to high quality, safe and secure childcare and play improves children's physical and mental health and well-being. Registered childcare and playwork settings that provide food to children, must ensure that any meals and / or snacks that children receive are nutritionally balanced and line with the</p>

<p>should help poorer countries achieve this.</p>			<p>Welsh Government's <a href="#">Food and nutrition guidance for childcare providers</a></p> <p>In line with this commitment, Standard 12 of the NMS identifies that children are provided with regular drinks and food in adequate quantities for their needs and that fresh drinking water is available for children at all times. In addition, Standard 22 focuses on children being cared for in an environment that is safe, secure and suitable for their purpose, providing a rich opportunity for play.</p> <p>Welsh Government can monitor how organisations promote children's health and nutrition needs through Care Inspectorate Wales registrations and inspections. As part of these processes, they consider the care given by providers, the food and water provided to them and the environment in which they are cared for.</p> <p>Eligible registered providers are able to apply for capital funding for improvements to their settings environment to benefit the children attending via the Childcare and Early Years Capital Programme.</p> <p>ECPLC principles supports settings to work in a systemic way with other partners such as health, education, third sector and children's services through the NYTH/ NEST framework. This helps to support early years services, such as having access to health and social care provision to protect and support their journey to be happy and healthy. Additionally, parents and children are supported to access health provision and support programmes such as maternity provision which offers families early information on public health issues including healthy living and early parenting. Every Child Wales, the replacement for Bump, Baby and</p>
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			<p>Beyond provides information for parents to support them from pregnancy through the first 1,000 days and early years of childhood, to make the best decisions for their health and that of their child or children. The Healthy Child Wales Programme sets out what planned contact children, and their families can expect from their health boards, from maternity and health visiting services.</p> <p>The review of the NMS will continue to ensure that children continue to have the right to good quality health care and to clean water, nutritious food and a clean environment at registered settings so that they will stay healthy.</p>
<p><b>28. Right to education.</b></p> <p>Children have a right to an education. Discipline in schools should respect children's human dignity. Primary education should be free. Wealthy countries should help poorer countries achieve this.</p>	<b>X</b>		<p>Standard 7 supports opportunities for play and learning across all childcare settings in Wales. This standard focuses on children having a range of experiences, including freely chosen, unstructured and self-directed play, that contributes to their emotional, physical, social, intellectual, language and creative development.</p> <p>The Welsh Government's core aim 2 based on the UNCRC is that children have access to a comprehensive range of education, training and learning opportunities, including acquisition of essential personal and social skills.</p> <p>Registered Childcare providers across Wales will providing funded nursery education follow Curriculum for Wales,. This applies to all children from three to sixteen years old, including those in nurseries and early years settings. The curriculum focuses on five key developmental pathways rooted in child development: Belonging, Communication, Exploration, Physical Development, and Well-Being. It also emphasises the importance of learning</p>

			<p>by doing and engaging in authentic, purposeful experiences.</p> <p>For those children who are below the age of 3 years old, childcare settings will follow the Early Childhood Play, Learning and Care (ECPLC) approach, which is an integrated approach to education and Childcare. ECPLC aligns with the broader curriculum for Wales, emphasising holistic development and well-being. It focuses on a child's social, emotional, cognitive and physical development through play and learning experiences. Guidance provided to support learning and development from birth onwards is aligned with the Curriculum for Wales ethos to support smooth transitions for children.</p> <p>ECPLC principles support the provision of consistent education for children through high-quality play-based childcare and education opportunities for all children, allowing them to thrive.</p> <p>The proposals set out as part of the NMS review focuses on the development of a professional, highly skilled and valued workforce which in turn will help to support children's education as well as focusing on aligning standards to the ECPLC principles through outcomes and the child's voice, with links to best practice documents to further support high quality childcare and play.</p>
<p><b>30. Children from minority or indigenous groups.</b></p> <p>Children have a right to learn and use the language and customs of their families, whether these are shared by the majority of people in the country or not.</p>	<b>X</b>		<p>The Welsh Government's core aim 5 based on the UNCRC is that children should be listened to, treated with respect, and have their race and cultural identity recognised. Proposed changes to flexibility for childminder ratios ensure that parents will be able to choose a child minder that they feel would best meet the needs of their child and care for their children together. This may be particularly significant for parents of disabled children, those with cultural,</p>

			<p>religious or language preferences and parents who work atypical hours.</p> <p><a href="#">The Welsh Government Anti Racist Action Plan</a> (2022) reflects the Welsh Government's commitment to building an inclusive and equitable society for all Black, Asian and Minority Ethnic people and communities in Wales. In line with this commitment, standard 4.4 of the NMS identifies that the needs and preferences of individual children (including those from minority ethnic communities) in relation to their home language(s), intended medium of education (e.g., Welsh or English) and their social, cultural and religious practices are understood and catered for.</p> <p>The changes proposed and updates to the NMS will continue to support children whatever their backgrounds. Links to anti-racism tools and best practice will also be included as part of the proposal</p>
<p><b>31. Leisure, Play and Culture</b></p> <p>All children have the right to relax and play, and to join a wide range of activities.</p>	<b>X</b>		<p>The <a href="#">Ministerial Review of Play</a> Report (2023) recognises "Playing is central to children's physical, mental, social and emotional health and wellbeing. For children themselves, playing is one of the most important aspects of their lives. They value time, freedom and quality places to play."</p> <p>Childcare and play settings provide children with various opportunities to play and Standard 7 of the NMS supports opportunities for play and learning across all registered childcare settings in Wales. This standard focuses on children having a range of experiences, including freely chosen, unstructured and self-directed play, that contributes to their emotional, physical, social,</p>

			<p>intellectual, language and creative development.</p> <p>The Welsh Government's core aim 4 based on the UNCRC is for children to have access to play, leisure, sporting and cultural activities.</p> <p>The proposals set out in section 1 of the NMS review focuses on the development of a professional, highly skilled and valued workforce which in turn will help to support children's play and activities.</p> <p>A proportionate approach to Open Access Play aims to support the sustainability of Open Access Play which will ensure there is available services of this nature available for children to access.</p> <p>ECPLC principles support children in having the time and space to play, explore and develop at their own pace.</p>
<p><b>34. Sexual Exploitation</b></p> <p>The Government should protect children from sexual abuse.</p>	<b>X</b>		<p>Welsh Government monitors how providers care for and safeguard children through Care Inspectorate Wales functions of Registrations and Inspections. As part of these processes, they consider the care given by providers and the well-being and development of children. Providers are expected to meet the Child minding and Daycare Regulations as well as the National Minimum Standards set out by Welsh Government, including safeguarding training and reporting obligations. These measures are fundamental to ensuring children are appropriately protected.</p> <p>Welsh Government expects all providers to adhere to the 'Working Together to Safeguard People: Code of Safeguarding Practice' to ensure</p>

			<p>children are safeguarded by all childcare providers across Wales.</p> <p>In line with this commitment, the outcomes for Standard 20 of the NMS are for children to be safeguarded from harm, abuse and neglect, and parents are confident that all possible steps to safeguard children are taken and that safeguarding children is first priority and everyone's responsibility. This standard also supports childcare settings in developing their own safeguarding policies in line with Wales Safeguarding procedures and accessing training which is relevant to their childcare role. In addition to this Standard 13.4 of the NMS identifies that all paid staff receive regular one-to-one supervisions which encourages them to raise any safeguarding concerns.</p> <p>The Welsh Government's core aim 3 based on the UNCRC is for children to enjoy the best possible physical and mental, social and emotional health, including freedom from abuse, victimisation and exploitation.</p> <p>The review of the NMS will play an essential role in helping to ensure that children are cared for in a safe, secure and appropriate environment.</p>
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- *Consider whether any EU Citizens Rights (as referenced in the Equality Impact Assessment) relate to young people up to the age of 18.*

Eligible individuals falling within the scope of the Citizens Rights Agreements will have broadly the same continued entitlements to work, study and access public services and benefits. EU Citizens rights may apply with respect to access to social security systems – these include benefits, access to education, housing and access to healthcare, in respect children who were lawfully resident in the UK by 31 December 2020. This proposal will not affect these rights.

EU citizens with settled or pre-settled status, if eligible can register with HMRC to receive payments via the Tax-Free Childcare scheme and DWP so that eligible parents can use the Universal Credit Childcare scheme. EU citizens with settled or pre-settled status will have access to these schemes in line with the other eligibility requirements.

#### **4. Ministerial advice and decision**

In formulating Ministerial advice in respect of the consultation on the [National Minimum Standards \(NMS\) for Regulated Childcare for children up to 12 years](#)’ review, officials have paid due regard to the rights of children as set out in the UNCRC. Evidence shows that high-quality early year’s provision is crucial to the outcomes for children, and it is anticipated that any proposed changes to the NMS will have a positive impact on children and young people by ensuring they are able to access sufficient childcare. Our ambition for a professional and sustainable workforce is centred on the understanding that by reviewing and making amendments to the NMS, this will help to relieve some of the pressure on providers by supporting them to meet the necessary requirements and continue to support the sustainability of the sector. This in turn, will have a positive influence on outcomes for children and their development, helping them to achieve their full potential.

Ministerial advice regarding the proposed changes to the NMS will confirm that we have considered the UNCRC when developing this policy. The accompanying advice will summarise the overall conclusion, as per the assessment, that the strategy will have a positive impact on children and young people with all unintended consequences having been considered and / or mitigated.

The CRIA will be authorised by our Deputy Director along with the wider IIA and will be integrated into ministerial advice. The policy impact analysis will be influenced by the consultation responses, in particular the impact of the policy on the children and young people using childcare and play services across Wales. The analysis of the impacts will be included in future advice to the Minister and will set out the benefits and impacts identified to date and those gathered through the consultation process. This CRIA will be updated following the outcome of the consultation and if it is decided that we should proceed with the proposals, then a further engagement with key stakeholders on the specifics of the proposed changes will take place. The Minister will be briefed on the findings of the CRIA at regular intervals throughout the consultation process.



## **5. Publication of the CRIA**

Following the ministerial decision, this Children's Rights Impact Assessment will be published on the Welsh Government website. Following the consultation and before the Minister takes the final decision on any approach to the proposals, we will use the findings to revise our impact assessments and review and update the document as necessary. We will present findings to the Minister for Children and Social Care, outlining next steps which may include proposals to proceed or amend the policy direction. If there are significant changes to the proposals as a result of the consultation, the CRIA document will be reviewed in full.

## **6. Communicating with Children and Young People**

The Welsh Government will use its digital channels and existing networks across all relevant policy areas to raise awareness of the consultation and to engage a diverse range of people. Any significant changes to the NMS guidance that impacts upon service users and providers will be subject to a formal public consultation. Representatives from a range of organisations who took part in pre-consultation events and working groups will be called upon to support the consultation process, ensuring it is publicised with the childcare and play workforce across the sector and disseminated to parents and children.

This CRIA document will be updated following the outcome of the consultation and if additional impacts are identified there will be a need to engage widely with those working in and accessing childcare and playwork settings, including children and young people. Since our proposed amendments to the NMS primarily concern children under the age of 12, an easy read version of any outcomes to the consultation will be created and will be made available and shared with parents on behalf of their children. Outcomes to the consultation will be disseminated via networks including Children's Commissioner for Wales and Children in Wales. Although an easy-read document is typically intended for individuals with Additional Learning Needs, we believe it is more suitable for our target audience of children under the age of 12 years, provided they have parental support. However, we will review this following the summary of responses received following consultation to ensure that this decision is still appropriate.

A full engagement and communication strategy for informing children and young people of the outcome of the NMS review 2025 is currently being developed and a summary of the consultation will be shared with organisations who will be running focus groups, to be further disseminated to children who took part.

The Welsh Government will continue to work closely with the sector (including working with umbrella organisations and directly with providers, local authorities and other key stakeholders) including children and young people to ensure that they are informed of developments during the implementation phase. Considering this, wherever possible, steps will be put in place to ensure accessible information is provided.

As part of this work and ongoing engagement we will consider the impact of any potential long term changes to the NMS on the safety and quality of care provided. Any proposals developed have been in conjunction with Care Inspectorate Wales (CIW) who inspect registered settings and members of the CWLWM childcare consortium and Play Wales who represent childcare and playwork providers.

## **7. Monitoring and Review**

At each stage of policy development, the impact of the policy will be assessed and reviewed. The CRIA is a living document and will be updated following the consultation to identify if the likely impacts originally identified have come to fruition, and whether there are any further unintended consequences. We will use the findings from the consultation, including responses to the question which seeks the views of the impact on children's rights to review the CRIA, and make amendments to the evidence of impact accordingly in respect of how the proposals may affect children.

If there are significant changes to the proposals as a result of the consultation, the CRIA will be reviewed in full. We will present findings to the Minister for Children and Social Care outlining next steps which may include proposals to proceed or amend the policy direction, practice or guidance. The reviewed CRIA will be published with any updates to the evidence of impact, and we will continue to look for opportunities for supporting children's rights as we move into implementation. Our intention is to keep the NMS under continuous review and update as policy and legislation develops over the coming years. Ongoing reviews of the CRIA will help to inform future actions and cyclical reviews of the '[National Minimum Standards \(NMS\) for Regulated Childcare for children up to 12 years](#)'.

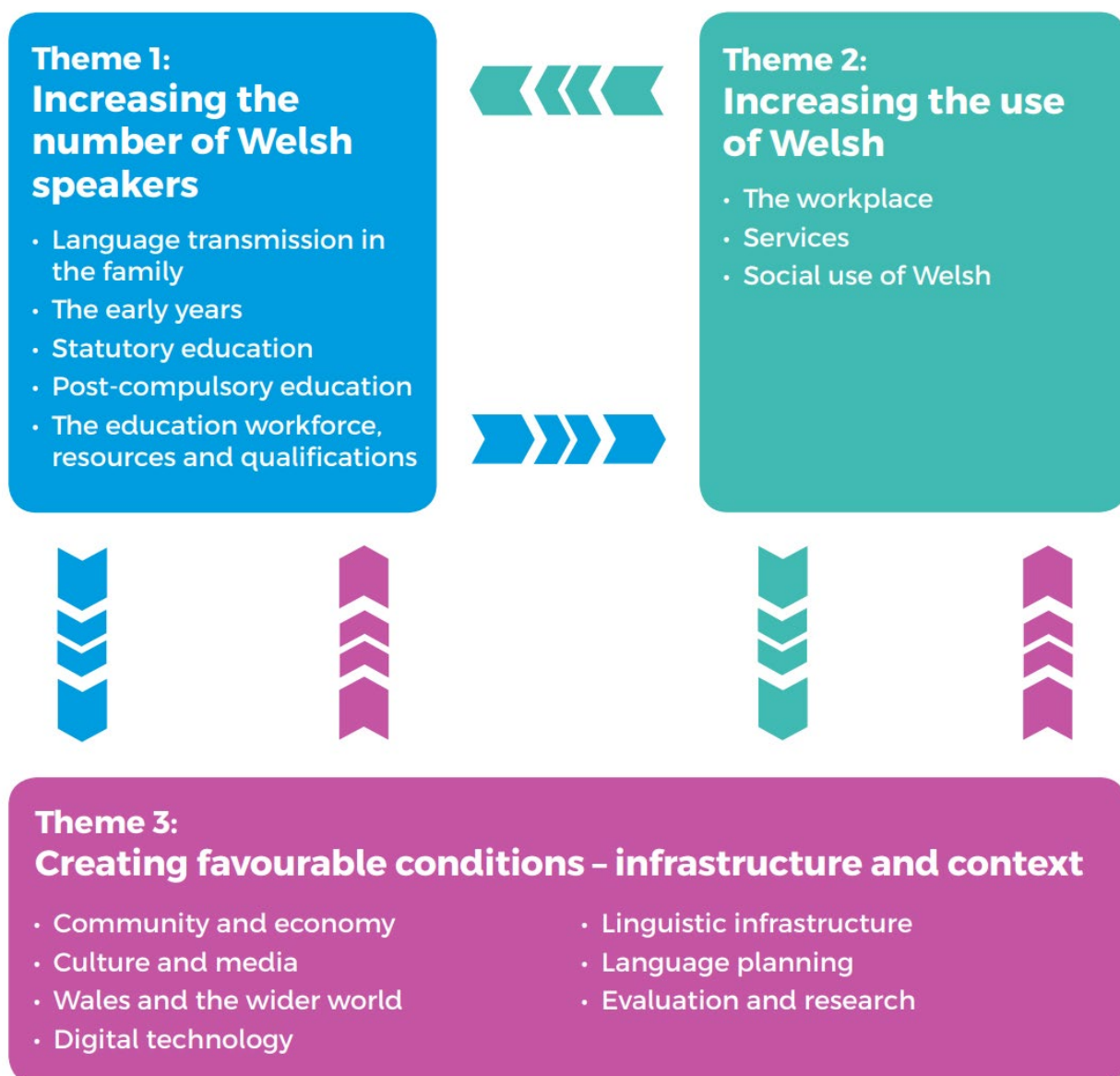
## B. WELSH LANGUAGE IMPACT ASSESSMENT

*Cymraeg 2050* is our national strategy for increasing the number of Welsh speakers to a million by 2050.

The Welsh Government is fully committed to the new strategy, with the target of a million speakers included in its Programme for Government. A thriving Welsh language is also included in one of the 7 well-being goals in the Well-being of Future Generations (Wales) Act 2015.

We also have a statutory obligation to fully consider the effects of our work on the Welsh Language. This means that any Welsh Government policy should consider how our policies affect the language and those who speak it.

The *Cymraeg 2050 strategy* has three interrelated themes:



The headings under each theme outline the scope of activities that can affect the language.

As a general rule, if your policy has the potential to impact on people, it will impact in some way on Welsh speakers and therefore on the Welsh language.

1. Welsh Language Impact Assessment reference number (completed by the Welsh Language Standards Team, email: [Safonau.Standards@gov.wales](mailto:Safonau.Standards@gov.wales): 01/06/2025.
2. Does the proposal demonstrate a clear link with the Welsh Government's strategy for the Welsh language? – [Cymraeg 2050 A million Welsh speakers](#) and the related Work Programme for 2021-2026? [Cymraeg 2050 work programme 2021-2026](#)

The Welsh Government's vision is to see the Welsh language thrive, with an increase in the number of people who both speak and use the language in their daily lives. Both this strategy and the Well Being of Future Generations (Wales) Act state that the Welsh language is a strategic priority for the Welsh Government.

We want to work with our partners to develop practical solutions to barriers parents may face in accessing the childcare they need to be able to work, including ensuring sufficiency of Welsh-medium and bilingual childcare. Expanding Welsh-medium provision in the early years is one of the key aims of our Welsh Language Strategy, *Cymraeg 2050*.

The Welsh Government's vision for a million Welsh speakers by 2050, clearly identifies the Early Years and childhood as key focus areas for meeting this target. It highlights the importance of the early years sector as a point of early entry to immersion education, and to increased demand for Welsh-medium education. The Welsh Government's long-term aim being "for our early years provision to reach a position where children under five have had sufficient contact with the Welsh language to be able to start on their journey towards fluency".

All the changes proposed integrate the drive to support high quality, accessible childcare which is inspected by Care Inspectorate Wales (CIW) and supported by the NMS to ensure compliance with the regulations.

Welsh Government does not anticipate any adverse impacts on the Welsh language as a subsequent result of any proposed changes to the [National Minimum Standards \(NMS\) for Regulated Childcare for children up to 12 years](#). The requirements of the NMS in relation to Welsh language are likely to remain unchanged, or to be strengthened. The proposed changes will support registered childcare and playwork providers in meeting the NMS standards, remove unnecessary barriers and support the ongoing sustainability of the sector. These will include Welsh medium settings, bilingual and English medium settings,

all of whom will need to meet outcomes aligned to quality and inclusion, and the need to have regard to the Welsh language.

Direct elements of the proposal such as providing flexibility across the sector in relation to qualification and ratio requirements demonstrates a direct link to theme 2 *“increasing the use of Welsh”* as it is concerned with sustainability of the sector with a strong focus on addressing current workforce challenges. Particular examples of this are:

- **Open Access Playwork Standards** - Creating a set of proportionate Open Access Playwork standards and providing flexibility to the prescribed qualification requirements for first aid subject to risk assessments being undertaken alongside making slight amendments to the percentages of staff who hold particular qualifications. By proposing a more proportionate approach for this type of childcare there will be positive effects in terms of cost, recruitment, and employability with an overall aim to prevent a decline in registered numbers and work towards the goal to increase the number of registered services and provide more children with access to safe play areas staffed by qualified individuals, which are currently unavailable.
- **NMS Guidance for Child Minder Assistants - Standard 13: Suitable Person (CM) and Annex A** - Providing flexibility for child minding assistants will help maintain continuity in the child-minding sector. The proposal will mean that child minding assistants can be employed initially without a formal qualification and ‘work towards’ the required qualification within a 6-month timeframe. However, a caveat has been considered with amendments to Standard 13.4(CM) that child minding assistants cannot be left alone in sole charge of children until the qualification is obtained. This will help to mitigate any risks associated with the assistant being unqualified for a short period of time following employment. This amendment to allow child minding assistants to be employed without a formal qualification but be working towards a qualification will help to ease pressure on recruitment. Additionally, we intend to consult on the maximum length of time a child minder assistant can be left in sole charge of children being up to no more than two hours in a day. This will support child minders in managing their practice by enabling them to appoint an assistant to support and enhance the provision for children. Both of these changes will ensure that child minders can become prosperous businesses in their own right and continue in employment.
- **Ratios (Child Minding): Standard 15 (CM)** – Revising current child minding ratios for children under 5-years-old to increase one child under 5 years (but not under 18 months), to be classed as over the age of 5-years during the summer holidays prior to this for the purposes of ratios relevant to child minder will help to provide flexibility. Additionally, where children who are due to start full-time statutory school / education in September as well as children aged 3-5 years who attend an educational provision or a combination of an educational provision and wrap-around childcare within school hours at another setting for five or more hours per day, they may also be classed as over the age of 5-years for the purposes of the ratios relevant to child minders, which will also help to provide further flexibility. Both these

changes will help to support the sustainability of the child minding sector by addressing the evident recent decline and offer flexibility for adult to child ratios for children under 5 years.

The consideration of specific proposals to support flexibility across the childcare and playwork sector will help to address current workforce recruitment and retention challenges. This includes Welsh medium provision, where the workforce plays a key role in supporting children to take their first steps towards bilingualism.

### **3. Describe and explain the impact of the proposal on the Welsh language and explain how you will address these impacts in order to improve outcomes for the Welsh language.**

Access to bilingual and Welsh medium childcare and playwork gives children the opportunity to socialise and play through the medium of Welsh. Welsh medium childcare and play opportunities also supports Welsh medium education as children who attend Welsh medium childcare are more likely to choose, and progress to Welsh medium schools than those attending English medium provision. Welsh medium out of school childcare opportunities can also support children's Welsh medium language development.

The Welsh Government's vision to expand Welsh-medium provision in the early years is one of the key aims of our Welsh Language Strategy, *Cymraeg 2050*. However, this depends on the sector being sustainable and on there being a sufficiently sized and qualified workforce. The childcare and play sectors are facing recruitment and retention issues and it is recognised nationally that recruiting and retaining staff including those who are Welsh speakers to work with children in the childcare and playwork sector is an ongoing challenge. These issues are exacerbated for Welsh medium provision given the smaller pool of potential recruits who have Welsh language skills. This may be particularly evident if they have difficulties finding sufficient Welsh speaking staff to meet the requirements set out in the National Minimum Standards for Regulated Childcare.

The consultation for the NMS review 2025 is structured into topic areas which include questions of proposed changes and also engagement questions to support future policy development (proposals can be found within Section 1 of the IIA). The consultation questions we have developed will gather views about how the changes proposed may affect both the Welsh language and Welsh medium provision. Further detail relating to each proposal and consultation question is provided in the correlating [NMS Consultation Document](#).

The proposals set out in relation to Open Access Playwork and NMS standard 13 and 15 relating to qualifications and ratios for child minders and their assistants will provide flexibility across the sector. They are also intended to support and address current

workforce recruitment and retention challenges which in turn will have a positive impact on the sector, including that of Welsh medium provision. Other proposed changes such as amending the structure and presentation of the NMS will include presenting the document in a HTML web version to enhance accessibility and support easier navigation for users. This online version will be available in both Welsh and English which will support those who wish to access the information through the medium of Welsh, including providers and parents. Information already provided on the NMS being minimum standards which are expected to be exceeded, will be strengthened by including links to guidance and best practice toolkits on how to achieve a good or excellent provision.

The proposal to provide a proportionate standalone set of standards for ‘Open Access Play’ settings will also support a more balanced approach to registration and inspection for these settings. This may increase the amount of registered open access provision, which may lead to an increase in the availability of registered Welsh medium or bilingual open access play.

The proposals will support the sector, including a number of Welsh medium settings across Wales, such as ‘Cylchoedd Meithrin’ to remain operational. ‘Cylchoedd Meithrin’ and services provided by Mudiad Meithrin and other key stakeholders support the national strategy Cymraeg 2050 by providing Welsh-language nursery care, developing opportunities for children throughout Wales to receive Welsh-medium early years care and services. These settings formalise mainstreaming the Welsh language and provide opportunities to maintain and strengthen the role of the Welsh-medium sector in the future. In addition, early exposure to the Welsh language and opportunities can support children in settings across the early years sector develop their Welsh language skills and expand opportunities for future generations.

Early years settings are able to offer the language ‘**Croesi’r Bont**’ immersion method which is used to introduce Welsh to young children who attend. Additionally, play activities conducted bilingually and in Welsh encourages and supports children to develop confidence in communicating in Welsh. Within this environment, children are able to develop their language skills through a well-rounded curriculum that includes opportunities for free and structured play, alongside an immersive language programme.

- Welsh Government are committed to the actions in our Welsh Language Strategy, Cymraeg 2050 plan and are focused on supporting expanded Welsh-medium childcare for families across Wales. This includes the following actions:
- Welsh Government allocate funding to CWLWM to support the Childcare and play sector to increase the availability of Welsh medium provision. This includes investing in the workforce and building new settings.

- Welsh Government allocate funding to local authorities to support the Childcare and play sector via the Children and Communities Grant. The purpose of the funding includes addressing the gaps identified within Childcare Sufficiency Assessments (CSAs) and can be used flexibly to meet the needs of local communities. One of the areas local authorities are encouraged to give special consideration to are families wishing to access provision through the medium of Welsh. A review of the CSA process is undertaken to gain a better understanding in addressing current gaps and challenges in childcare provision across Wales. This helps to improve identification of demand and supply of childcare including Welsh-medium provision required to meet the needs of families in the future.
- Welsh Government officials work closely with Childcare Leads within local authorities to ensure that Welsh Medium expansion plans are supported.
- Welsh Government funding is provided to Mudiad Meithrin as part of CWLWM funding to support the growth of the Welsh-medium workforce and through a 'Cam Wrth Gam' Welsh childcare qualifications programme for staff in Cylchoedd Meithrin or other Welsh medium childcare can be funded to undertake level 3 and level 5 training.
- Through Welsh Government support, Mudiad Meithrin offers grants through 'SaS' (Sefydlu a Symud / Set up and Success) to expand existing settings and support the set-up of new provision.
- Welsh Government support early years settings to offer the language '**Croesi'r Bont**' immersion method which offers language immersion support for new settings and is used to specifically support Welsh language skills within the workforce and introduce Welsh to young children who attend.
- The Childcare and Early Years Capital Programme is available to all registered childcare and play providers including Cylchoedd Meithrin. This programme will continue over the next three years until March 2028 and helps to ensure that the childcare sector in Wales is strengthened and supported and has a particular emphasis on strengthening Welsh medium provisions.

Our ambition for a professional and sustainable workforce is centred on the understanding that by reviewing and making amendments to the NMS, this will help to relieve some of the pressure on providers by supporting them to meet the necessary requirements, and continue to support the sustainability of the sector, which will in turn will have a positive influence on outcomes for children and their development, helping them to achieve their full potential.



The proposals support our ambition for a professional and sustainable workforce for those in the childcare and playwork workforce with a long-term vision of supporting and developing the employment of staff across settings and allowing them to enter and remain within the childcare workforce. Individuals working in childcare and play settings across Wales have an increasing role to play in providing opportunities for children to learn and use Welsh and the proposals enable us to focus our policy ambitions more clearly for the development of a workforce that can support Welsh speakers of the future.

The consultation seeks to recognise and value the views of those who engage in the consultation process.