



House of Commons

NOTICES OF AMENDMENTS

given on

Thursday 30 May 2013

*For other Amendment(s) see the following page(s) of Supplement to Votes:
1233-36 of the 2012-2013 Session
5-6 and 135-36 of the 2013-2014 Session*

CONSIDERATION OF BILL

CHILDREN AND FAMILIES BILL, AS AMENDED

Staff to child ratios: Ofsted-registered childminder settings

Mrs Sharon Hodgson
Lisa Nandy

NC6

To move the following Clause:—

- (1) This section applies to Ofsted-registered childminder settings.
- (2) The ratio of staff to children under the age of eight must be no less than one to six, where—
 - (a) a maximum of three children may be young children;
 - (b) a maximum of one child is under the age of one.
- (3) Any care provided by childminders for older children must not adversely affect the care of children receiving early years provision.
- (4) If a childminder can demonstrate to parents, carers and inspectors, that the individual needs of all the children are being met, then in addition to the ratio set out in subsection (2), they may also care for—
 - (a) babies who are siblings of the children referred to in subsection (2), or
 - (b) their own baby.
- (5) If children aged between four and five years only attend the childminding setting outside of normal school hours or the normal school term time, they may be cared for at the same time as three other young children, provided that at no time the ratio of staff to children under the age of eight exceeds one to six.
- (6) If a childminder employs an assistant or works with another childminder, each childminder or assistant may care for the number of children permitted by the ratios specified in subsections (2), (4), and (5).
- (7) Children may only be left in the sole care of a childminder's assistant for two hours in a single day.
- (8) Childminders must obtain the permission of a child's parents or carers before that child can be left in the sole care of a childminder's assistant.

Children and Families Bill, *continued*

- (9) The ratios in subsections (2), (4) and (5) apply to childminders providing overnight care, provided that the children are continuously monitored, which may be through the use of electronic equipment.
- (10) For the purposes of this section a child is—
 - (a) a “young child” up until 1 September following his or her fifth birthday.
 - (b) an “older child” after the 1 September following his or her fifth birthday.’.

Staff to child ratios: Ofsted-registered non-domestic childcare settings

Mrs Sharon Hodgson
Lisa Nandy

NC7

To move the following Clause:—

- ‘(1) This section applies to Ofsted-registered, non-domestic childcare settings.
- (2) For children aged under two—
 - (a) the ratio of staff to children must be no less than one to three;
 - (b) at least one member of staff must hold a full and relevant level 3 qualification, and must be suitably experienced in working with children under two;
 - (c) at least half of all other members of staff must hold a full and relevant level 2 qualification;
 - (d) at least half of all members of staff must have received training in care for babies; and
 - (e) where there is a dedicated area solely for children under two years old, the member of staff in charge of that area must, in the judgement of their employer, have suitable experience of working with children under two years old.
- (3) For children between the ages of two and three—
 - (a) the ratio of staff to children must be no less than one to four;
 - (b) at least one member of staff must hold a full and relevant level 3 qualification, and
 - (c) at least half of all other members of staff must hold a full and relevant level 2 qualification;
- (4) Where there is registered early years provision, which operates between 8 am and 4 pm, and a member of staff with Qualified Teacher status, Early Years Professional status or other full and relevant level 6 qualification is working directly with the children, for children aged three and over—
 - (a) the ratio of staff to children must be no less than one to 13; and
 - (b) at least one member of staff must hold a full and relevant level 3 qualification.
- (5) Where there is registered early years provision, which operates outside the hours of 8 am and 4 pm, and between the hours of 8 am and 4 pm, where a member of staff with Qualified Teacher status, Early Years Professional status or other full and relevant level 6 qualification is not working directly with the children, for children aged three and over—
 - (a) the ratio of staff to children must be no less than one to eight;
 - (b) at least one member of staff must hold a full and relevant level 3 qualification, and
 - (c) at least half of all other staff must hold a full and relevant level 2 qualification;

Children and Families Bill, *continued*

- (6) In independent schools where—
 - (a) a member of staff with Qualified Teacher status, Early Years Professional status or other full and relevant level 6 qualification;
 - (b) an instructor; or
 - (c) a suitably qualified overseas-trained teacher is working directly with the childre, for children aged three and over—
 - (i) for classes where the majority of children will reach the age of five or older within the school year, the ratio of staff to children must be no less than one to 30;
 - (ii) for all other classes the ratio of staff to children must be no less than one to 13; and
 - (iii) at least one other member of staff must hold a full and relevant level 3 qualification.
 - (7) In independent schools where there is—
 - (a) no member of staff with Qualified Teacher status, Early Years Professional status or other full and relevant level 6 qualification;
 - (b) no instructor; or
 - (c) no suitably qualified overseas-trained teacher working directly with the children, for children aged three and over—
 - (i) the ratio of staff to children must be no less than one to eight;
 - (ii) at least one other member of staff must hold a full and relevant level 3 qualification, and
 - (iii) at least one other member of staff must hold a full and relevant level 2 qualification.
 - (8) In maintained nursery schools and nursery classes in maintained schools (except reception classes)—
 - (a) the ratio of staff to children must be no less than one to 13;
 - (b) at least one member of staff must be a school teacher as defined by subsection 122(3) [Power to prescribe pay and conditions] of the Education Act 2002 and Schedule 2 to the Education (School Teachers' Qualifications) (England) Regulations 2003; and
 - (c) at least one other member of staff must hold a full and relevant level 3 qualification.
 - (9) The Secretary of State may make provision in statutory guidance to—
 - (a) define qualifications as “full and relevant”; and
 - (b) define “suitable experience” for those working with children under two.
 - (10) If HM Chief Inspector of Education is concerned about the quality of provision or the safety and well-being of children in a setting he may impose different ratios.’.
-