WELSH STATUTORY INSTRUMENTS

2008 No. 169 (W.22)

CHILDREN AND YOUNG PERSONS, WALES

The Childcare Act 2006 (Local Authority Assessment) (Wales) Regulations 2008

Made - - - -	*28 January 2008*
Laid before the National Assembly for Wales - -	*30 January*
Coming into force - -	*1 April 2008*

The Welsh Ministers, in exercise of the powers conferred on the National Assembly for Wales by section 26 of the Childcare Act 2006(**1**), and now vested in them (**2**) makes the following Regulations:

Title, commencement and application

1.—(1) The title of these Regulations is The Childcare Act 2006 (Local Authority Assessment) (Wales) Regulations 2008 and they come into force on 1 April 2008.

(2) These Regulations apply in relation to Wales.

Interpretation

2.—(1) In these Regulations—

"the Act" ("*y Ddeddf*") means the Childcare Act 2006;

"assessment" ("*asesiad*") means the assessment carried out by a local authority under section 26(1) of the Act;

"childcare" ("*gofal plant*") means care which is required to be registered under part 10A of the Children Act 1989(**3**) or care which would be required to be registered under part 10A but for the fact that it is provided for a child aged 8 or over;

"childcare provider" ("*darparydd gofal plant*") means any person who provides childcare;

(**1**) 2006 c. 21
(**2**) By virtue of paragraph 30 of Schedule 11 of the Government of Wales Act 2006
(**3**) 1989 c. 41

"free nursery education" ("*addysg feithrin am ddim*") means provision which is made under arrangements between the provider and the local authority in pursuance of the local authority's duty under section 118 of the School Standards and Framework Act 1998(**4**)

"local authority's partners" ("*partneriaid yr awdurdod lleol*") means the relevant partners as defined in section 25 of the Children Act 2004(**5**) and JobCentre Plus;

"session length" ("*hyd sesiwn*") means the maximum period of time for which a childcare provider will care for a child in a day;

(2) In these Regulations, the age ranges are—

(a) ages 2 and under;

(b) ages 3 and 4;

(c) ages 5, 6 and 7;

(d) ages 8, 9 and 10;

(e) ages 11, 12, 13 and 14; and

(f) in relation to disabled children only, ages 15, 16 and 17.

(3) In these Regulations, the types of childcare are—

(a) childminding;

(b) full day care;

(c) sessional care;

(d) out of school care; and

(e) creches

Matters to be contained in the assessment

3.—(1) The assessment must include in respect of each local authority area details of—

(a) the number of free nursery education places required;

(b) the number of free nursery education places available;

(c) in respect of each type of childcare and each age range—

(i) the number of places required;

(ii) the number of places available;

(iii) the number of places required in respect of which the childcare element of working tax credit may be used;

(iv) the number of places available for which parents would be able to use the childcare element of the working tax credit;

(v) the times at which the childcare is required;

(vi) the times at which the childcare is available;

(vii) the range of session lengths offered by childcare providers;

(viii) the requirements for specialist care for disabled children and those with special educational needs;

(ix) the number of places available which are suitable for children who have special educational needs or who require specialist care due to a disability;

(x) the number of Welsh language and bilingual childcare places required;

(**4**) 1998 c. 31
(**5**) 2004 c. 31