STATUTORY INSTRUMENTS

2026 No. 796

CHILDREN AND YOUNG PERSONS, ENGLAND

The Childcare (Miscellaneous Amendments) (England) Regulations 2026

Made - - - -	*9th July 2026*
Laid before Parliament	*13th July 2026*
Coming into force - -	*1st September 2026*

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 35(2)(a), (3)(b) and (5), 36(3)(b) and (5), 39(1), 43(1) and (3), 44(1), 54(3)(b) and (5)(b), 55(3)(b) and (5)(b), 59(2) and (3), 62(3)(b) and (5)(b), 63(4)(b) and (6)(b), 67(2) and (3) and 104(2) of the Childcare Act 2006(**a**).

In respect of the provision in regulations 4(6) and (9) and 5, in accordance with sections 43(2), 59(2) and 67(2) of the Childcare Act 2006, the Secretary of State has consulted His Majesty's Chief Inspector of Education, Children's Services and Skills and other appropriate persons.

Citation, commencement and extent

1. These Regulations—

(a) may be cited as the Childcare (Miscellaneous Amendments) (England) Regulations 2026,

(b) come into force on 1st September 2026, and

(c) extend to England and Wales.

(**a**) 2006 c. 21. Section 35(3)(b) was amended by paragraph 6(4) of Schedule 4 to the Children and Families Act 2014 (c. 6) ("the 2014 Act"). Section 35(5) was amended by paragraph 6(6) of Schedule 4 to the 2014 Act and paragraph 5(4) of Schedule 23 to the Levelling-up and Regeneration Act 2023 (c. 55) ("the 2023 Act"). Section 36(3) was amended by paragraph 6(3) of Schedule 23 to the 2023 Act and paragraph 7(4) of Schedule 4 to the 2014 Act. Section 44(1) was amended by paragraph 41 of Schedule 12 to the Apprenticeships, Skills, Children and Learning Act 2009 (c. 22) ("the 2009 Act"). Section 54(3) was amended by paragraph 17(4) of Schedule 4 to the 2014 Act. Section 54(5) was amended by paragraph 17(6) of Schedule 4 to the 2014 Act and paragraph 11(4) of Schedule 23 to the 2023 Act. Section 55(3) was amended by paragraph 12(3) of Schedule 23 to the 2023 Act and paragraph 18(4) of Schedule 4 to the 2014 Act. Section 55(5) was amended by paragraph 18(6) of Schedule 4 to the 2014 Act and paragraph 12(5) of Schedule 23 to the 2023 Act. Relevant amendments were made to section 67 by paragraph 31 of Schedule 4 to the 2014 Act. Section 106 of the Childcare Act 2006 provides that "prescribed" (except in Part 2 and section 101) means prescribed by regulations, and that "regulations" (except in Part 2 and section 101) means regulations made by the Secretary of State.

Amendment of the Early Years Foundation Stage (Learning and Development Requirements) Order 2007

2.—(1) The Early Years Foundation Stage (Learning and Development Requirements) Order 2007(**a**) is amended in accordance with paragraph (2).

(2) In article 2 (interpretation), for "14th July 2025" in both places it occurs, substitute "13th July 2026"(**b**).

Amendment of the Childcare (Early Years Register) Regulations 2008

3.—(1) The Childcare (Early Years Register) Regulations 2008(**c**) are amended in accordance with paragraphs (2) to (4).

(2) In regulation 2 (interpretation)—

(a) in the definition of "appropriate first aid qualification", for "3rd March 2017" substitute "13th July 2026";

(b) after the definition of "appropriate first aid qualification" insert—

> ""banned dog breed" means a type of dog to which section 1 of the Dangerous Dogs Act 1991(**d**) applies;".

(3) In Schedule 1 (applications for registration: early years childminders)—

(a) in the heading of paragraph 11A, omit "non-domestic";

(b) after paragraph 11A insert—

> **"11B.** No banned dog breed is kept or present at the relevant premises.".

(4) In Schedule 2 (applications for registration: other early years providers), after paragraph 14A insert—

> **"14B.** No banned dog breed is kept or present at the relevant premises.".

Amendment of the Childcare (General Childcare Register) Regulations 2008

4.—(1) The Childcare (General Childcare Register) Regulations 2008(**e**) are amended in accordance with paragraphs (2) to (9).

(2) In regulation 2 (interpretation), after the definition of "appropriate first aid qualification" insert—

> ""banned dog breed" means a type of dog to which section 1 of the Dangerous Dogs Act 1991 applies;".

(3) In regulation 10 (prescribed requirements for registration: voluntary registration), in paragraph (2), after "8" insert "and 9A".

(4) In Schedule 1 (applications for registration: later years childminders)—

(a) in the heading to paragraph 8A, omit "non-domestic";

(b) after paragraph 8A insert—

(**a**) S.I. 2007/1772, amended by S.I. 2008/1952, 2012/937, 2017/361, 2021/432, 2023/780, 2023/1338, 2024/1019, 2025/841; there are other amending instruments but none is relevant.

(**b**) Article 2 of S.I. 2007/1772 defines "the childminder EYFS" and "the group and school-based provider EYFS" which are published by the Secretary of State on the gov.uk website at https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2.

(**c**) S.I. 2008/974; relevant amending instruments are S.I. 2014/912, 2015/1562, 2017/361.

(**d**) 1991 c. 65; section 1 was amended by section 107(2) of the Anti-social Behaviour, Crime and Policing Act 2014 (c. 12).

(**e**) S.I. 2008/975; relevant amending instruments are S.I. 2014/912, 2015/1562, 2024/1019.

"8B. No banned dog breed is kept or present at the relevant premises.".

(5) In Schedule 2 (applications for registration: other later years providers), after paragraph 11A insert—

"11B. No banned dog breed is kept or present at the relevant premises.".

(6) In Schedule 3 (requirements governing activities: later years providers)—

(a) in paragraph 12—

(i) omit the "and" at the end of sub-paragraph (e);

(ii) insert "and" at the end of sub-paragraph (f);

(iii) after sub-paragraph (f) insert—

"(g) no banned dog breed is kept or present at the relevant premises";

(b) in paragraph 25, in sub-paragraph (2)(d), omit "serious".

(7) In Schedule 4 (applications for registration in Part B of the general childcare register: childminders), after paragraph 9 insert—

"Requirement relating to the premises

9A. No banned dog breed is kept or present at the relevant premises.".

(8) In Schedule 5 (applications for registration in Part B of the general childcare register: other childcare providers), after paragraph 11 insert—

"Requirement relating to the premises

11A. No banned dog breed is kept or present at the relevant premises.".

(9) In Schedule 6 (requirements governing the activities of persons registered voluntarily)—

(a) in paragraph 13, for sub-paragraph (1)(a) substitute—

"(a) in the case of a registered person who is not a home child-carer—

(i) the relevant premises are safe for such provision, and

(ii) no banned dog breed is kept or present at the relevant premises,

(aa) in the case of a registered person who is a home child-carer, the registered person—

(i) does not take a banned dog breed to the relevant premises, and

(ii) ensures, so far as reasonably practicable, that no banned dog breed is present at the relevant premises when childcare is being provided.";

(b) in paragraph 27, in sub-paragraph (2)(d), omit "serious".

Amendment of the Early Years Foundation Stage (Welfare Requirements) Regulations 2012

5.—(1) The Early Years Foundation Stage (Welfare Requirements) Regulations 2012(**a**) are amended in accordance with paragraphs (2) to (5).

(2) In regulation 2 (interpretation), in the definition of "the Document", for "14th July 2025", in both places it occurs, substitute "13th July 2026"(**b**).

(3) In regulation 3 (specification of the welfare requirements)—

(**a**) S.I. 2012/938; relevant amending instruments are S.I. 2014/912, 2017/361, 2021/432, 2023/780, 2023/1338, 2024/1019, 2025/132, 2025/841, 2025/1261.

(**b**) Regulation 2 of S.I. 2012/938 defines "the Document" which is published by the Secretary of State on the gov.uk website at https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2.

(a) in paragraph (2A)—

(i) in sub-paragraph (a), for "and 3.102" substitute "3.104 and 3.105";

(ii) in sub-paragraph (b), for "3.15, 3.23, 3.24, 3.25, 3.74, 3.78, 3.79, 3.102 and 3.104" substitute "3.23, 3.25, 3.26, 3.75, 3.79, 3.105, 3.106 and 3.107";

(b) in paragraph (4), for "3rd December 2025" substitute "13th July 2026"(**a**).

(4) In regulation 8 (provision of information), in paragraph (3), after "paragraphs" insert "10(c),".

(5) In the Schedule (events to be notified to the Chief Inspector)—

(a) in paragraph 4—

(i) the existing text becomes sub-paragraph (1);

(ii) omit "serious";

(iii) after sub-paragraph (1) insert—

"(2) In this paragraph, "harm" has the same meaning as in section 31(9) of the Children Act 1989(**b**).";

(b) in paragraph 10, after sub-paragraph (b), insert—

"(c) where some or all of the early years provision is provided on domestic premises, any change of the persons of 16 years or older living or working on those premises (providing that persons are not to be treated as working on the premises for the purpose of this paragraph if none of their work is done in the part of the premises in which the children are cared for or if they do not work on the premises at times when the children are there).".

Olivia Bailey
Parliamentary Under-Secretary of State
Department for Education

9th July 2026

(**a**) Regulation 3(4) of S.I. 2012/938 defines the "Qualifications Document" which is published by the Secretary of State on the gov.uk website at https://www.gov.uk/government/publications/early-years-qualification-requirements-and-standards.

(**b**) 1989 c. 41; section 31(9) was amended by section 120 of the Adoption and Children Act 2002 (c. 38).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Early Years Foundation Stage (Learning and Development Requirements) Order 2007 (S.I. 2007/1772) ("the Learning and Development Order"), the Childcare (Early Years Register) Regulations 2008 (S.I. 2008/974) ("the Early Years Register Regulations"), the Childcare (General Childcare Register) Regulations 2008 (S.I. 2008/975) ("the General Childcare Register Regulations") and the Early Years Foundation Stage (Welfare Requirements) Regulations 2012 (S.I. 2012/938) ("the Welfare Regulations").

Regulation 2 amends the Learning and Development Order to give effect to revised versions dated 13th July 2026 of the documents entitled the "Early Years Foundation Stage Statutory Framework for Childminders" and the "Early Years Foundation Stage Statutory Framework for Group and School-Based Providers" published by the Secretary of State on the gov.uk website (the "EYFS statutory frameworks"). Sections 1 and 2 of the EYFS statutory frameworks contain learning and development requirements, which early years providers are required to comply with by virtue of the Learning and Development Order. No changes are made to the learning and development requirements in sections 1 and 2 of the EYFS statutory frameworks, but the documents have changed in consequence of changes to the welfare requirements.

Regulation 3 amends the Early Years Register Regulations to introduce a new registration requirement for early years childminders and for other early years providers that no banned dog breed (meaning a type of dog to which section 1 (dogs bred for fighting) of the Dangerous Dogs Act 1991 (c. 65) applies) is kept or present at the relevant premises. Relevant premises means premises from which childcare is provided.

Regulation 4 amends the General Childcare Register Regulations to introduce a new registration requirement and requirement governing the activities of later years childcare providers and voluntarily registered childcare providers that no banned dog breed is kept or present at the relevant premises, except for home child-carers (i.e. nannies). Nannies must not take banned dog breeds to the relevant premises and must take reasonably practicable steps to ensure that no banned dog breed is present at the relevant premises when childcare is being provided. Regulation 4(9)(b) also changes the requirement for later years providers and voluntarily registered providers to notify the Chief Inspector or their childminder agency of allegations of 'serious harm' to 'harm', in respect of harm to or abuse of a child caused by any person on relevant premises caused by any person, or other than on the relevant premises caused by any person who cares for or is in regular contact with the children on premises other than relevant premises.

Regulation 5(2) amends the Welfare Regulations to give effect to revised versions dated 13th July 2026 of the EYFS statutory frameworks. Section 3 of the EYFS statutory frameworks contains welfare requirements, which early years providers are required to comply with by virtue of the Welfare Regulations. The changes to the welfare requirements in section 3 of the EYFS statutory frameworks include clarifying the safe sleep requirements for early years providers.

Regulation 5(3)(b) gives effect to a revised version dated 13th July 2026 of the "Qualifications Document", which is the document entitled "Early years qualification requirements and standards" published by the Secretary of State on the gov.uk website. This document specifies qualifications and training requirements to be met by early years providers (other than early years childminders) who are required by section 40 to comply with the Early Years Foundation Stage Statutory Framework for Group and School-Based Providers. These changes are made to clarify the

requirement to have a Level 2 English qualification in order to be counted in staff:child ratios at Level 3.

Regulation 5(5)(a) changes the requirement for early years providers to notify the Chief Inspector or their childminder agency of allegations of 'serious harm' to 'harm', in respect of harm to or abuse of a child caused by any person living, working or caring for children at the relevant premises, and any other abuse which is alleged to have taken place on those premises, and of the action taken in respect of the allegation.

Regulation 5(5)(b) amends the Schedule to the Welfare Regulations to provide that the requirement to notify the Chief Inspector or a childminder agency of certain changes in relation to persons of 16 years or older living or working on domestic premises applies to providers of early years 'childcare on domestic premises'. This requirement already applies to childminders working on domestic premises and is being extended to providers of 'childcare on domestic premises', who are excluded from the definition of childminding by section 96(5) (meaning of early years and later years provision etc.) of the Childcare Act 2006 (c. 21). Childcare on domestic premises is early years provision in respect of which a person is required to be registered by section 34(1A) (requirement to register: other early years providers) of the Childcare Act 2006, which is early years provision, at least some or all of which is on domestic premises, provided for reward, where at any time the number of persons providing or assisting with the provision exceeds four (or exceeds three if a person was registered, or had applied to be registered, to provide early years childcare on domestic premises before 1 November 2024).

The EYFS statutory frameworks are available on the gov.uk website at this link: https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2. Hard copies of these documents can be obtained at the Department for Education, Sanctuary Buildings, 20 Great Smith Street, London SW1P 3BT.

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