

Information for committee members: for preschool and nursery provision

See the Statutory Framework for the Early Years Foundation Stage (EYFS), Section 3: The safeguarding and welfare requirements, page 34.

Changes that must be notified to Ofsted or the relevant childminder agency (CMA)

3.77. All registered early years providers must notify Ofsted or the CMA with which they are registered of any change:

- where the early years provision is provided by a charity, any change in the name or registration number of the charity
- where the childcare is provided by a partnership, body corporate or unincorporated association, any change to the 'nominated individual'
- where the childcare is provided by a partnership, body corporate or unincorporated association whose sole or main purpose is the provision of childcare, any change to the individuals who are partners in, or a director, secretary or other officer or members of its governing body

Also see the [online guidance](#) on registering with Ofsted, the process, fees and requirements.

Suitability Checks

If you join an Ofsted registered organisation that provides childcare you [may need to be checked](#). The information in the table below is taken from the Ofsted website.

Type of organisation	Who needs to be checked
Companies set up solely or mainly to provide childcare	Everyone listed on companies house as being legally responsible for the company
Companies set up for another purpose	The nominated individual who deals with ofsted
Charities set up solely or mainly to provide childcare	Everyone listed on charities commission as being legally responsible (trustees)
Partnerships	All partners
Committee-run childcare	All new committee members

This includes committee members who may also be known as trustees or board members and are people who make up an organisation. Everyone on the committee is considered as the registered person and is equally responsible and accountable for the provision. All committee members must complete enhanced DBS checks and it is good practice to sign up to the DBS update service.

Once the DBS check has been completed and returned the individual can at this point sign up to the DBS update service, however an EY2 declaration and consent form must be filled in on-line. This is to ensure Ofsted is provided with the necessary information to enable them to carry out their suitability checks.

Important: you must notify Ofsted of any new committee members either by telephone or email (sending an email will give you the evidence that you have done this). This must be done with 14 days of election.

1. Completing a DBS check

Visit [Ofsted's online portal](#) to complete the DBS check.

DBS update service

It is best practice to [register with the update service](#).

2. Notifying Ofsted

You must notify Ofsted of new committee members using an [online EY2 form](#). Register or sign-in to access the form. During the process you'll have to enter your DBS number and your setting's URN/EY number.

Once completed, you and the registered person will receive a suitable person letter.

The nominated individual (see below) must also tell Ofsted about all changes to people that make up the organisation using the **EY3 form**. This includes:

- all new committee members for committee-run childcare
- any new people who make up an organisation that has been set up solely or mainly to provide childcare – this includes partners, directors, company secretaries and any other members of the governing body

3. Other information

The nominated individual

If you register as an organisation, you must appoint a 'nominated individual'. The nominated individual will be responsible for everything about the registration and will liaise with Ofsted. The person applying to register can also be the nominated individual if they are either:

- a member of the governing body
- the most senior person in the organisation with direct responsibility for childcare

They cannot be the appointed manager, unless the manager is also a member of the governing body. Read Ofsted's guidance on how to [register as a childminder or childcare provision](#).

4. Roles and responsibilities

Whenever organisations have new committee members, they must make sure they have the skills and knowledge to fulfil their roles and responsibilities in relation to the childcare. If the entire committee changed, the outgoing members will be expected to ensure that the new committee members understand their roles and responsibilities.

5. Records

Providers must also ensure that the records of information for suitability (DBS numbers / dates, etc.) of committee members are always available for inspection.

6. Associations

Everyone associated with a provision, such as the committee, trustees, etc. are known as 'Associations' and are logged on the Prospects Information System (PIMS) that inspectors have to check before they carry out an inspection. If the setting has not informed Ofsted by completing an EY2 form, they will not be on the system. Not notifying Ofsted is an offence and will result in an **inadequate judgement** being made. The reason for this is that committee members make up the registered provider and therefore can make decisions about the provision that have an impact on children. Also, their role means they are privy to information about children and families.

If you are unsure that Ofsted has an up-to-date record of associations, you can call them to check who is on their system. Also remember to ask Ofsted to take off any retiring committee members.