

**PE1430/G**

**PUBLIC PETITIONS COMMITTEE CONSIDERATION OF PE1430  
QUESTIONS/ISSUES ARISING FROM COMMITTEE MEETINGS**

**TUESDAY 15 MAY 2012**

**South Lanarkshire Council—**

- What are your views on what the petition seeks?

Childminders are essential in supporting the childcare agenda for working families. The Care Inspectorate regulate and ensure childminders are meeting the standards set by the Scottish Government through inspection processes, therefore we would have no comment to make on this.

Legislation enforced by Environmental Health is in broad terms risk based and flexibility is generally inherent within the scope of the regulations. In some instances less onerous requirements are specified for domestic property than for commercial property. Childminders who have cared for 6 or more children have always come within the scope of food hygiene legislation.

- The Committee would be grateful if you could set out how you monitor and apply the regulations and what criteria you set on childminding services in your area, particularly for those in domestic premises.

The setting of domestic/business rates is outwith the control of the local authority and is set by the Lanarkshire Valuation Joint Board following assessment based on current legislation.

The registering of a childminder with the local Environmental Health Department is done as part of their registration process with the Care Inspectorate where this is appropriate. Not all Childminders will require to register with Environment Health as they do not provide food prepared by them on their premises. Where they are registered with Environmental Health they will be monitored and inspected where appropriate in line with current legislation.

If a childminder is also operating a food business then they will be added to our food safety inspection programme and an initial visit carried out to determine the level of compliance with food hygiene requirements. Following the initial inspection the food business activities will be risk rated based on compliance with EC Regulations 852/2004 and the inspection frequency will be determined by the risk rating scheme contained within the Food Law Code of practice (Scotland). In our experience the majority of childminders are rated as lower risk and receive alternative enforcement interventions at subsequent visits.

The Scottish Food Enforcement Liaison Committee has been developing an national approach for all Food Authorities to adopt in relation to food safety enforcement at childminders and the guidance has been produced in consultation with the Care Inspectorate, Scottish Childminding Association and Scottish Government.