

Consultation Response Form:

Proposed changes to the National Minimum Standards (NMS) for Regulated Childcare for Children aged up to 12 years

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Please specify which group you identify with:	☒	Representative body
	☐	Provider
	☐	Parent/ carer
	☐	Member of the public
	☐	Local Authority
	☐	Other (please specify)
Do you agree that Welsh Government can publish your responses to this consultation in full?	☒	Yes
	☐	No
Do you agree that Welsh Government can publish your name and address (or part of the address) of the person or organisation who sent the response.	☒	Yes
	☐	No
Please complete this response form by Wednesday 10 December 2025 and either email it to childcareandplaymailbox@gov.wales or post it to: Early Years, Childcare and Play Division Welsh Government Cathays Park Cardiff, CF10 3NQ		

The Welsh Government has organised focus groups to assist with engagement for this consultation. Please tick whether you have participated in one of these sessions in addition to completing this form.

Yes, I have also attended a focus group on this consultation *	x
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*Play Wales hosted a focus group

No, I have not attended a focus group on this consultation	
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Proposed Changes Questions

- We seek your views on whether you agree with the proposed new layout of the Standards.

Question 1: Do you agree or disagree that the layout in the example of Standard 12: Food and Drink provided is clear?

Agree	X	Disagree		Neither agree nor disagree		Don't know	
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Please explain your response:

Yes, the layout of the example standard is helpful. Linking it to the voice of the child helps with making sense of the overall standard (if they are worded appropriately). There may be nuances in the open access standards that need discussion around child voice.

It also makes sense that the standard is linked to wellbeing, and that the child's voice and wellbeing outcome are before the detail of the other standards.

Question 2: Do you agree or disagree that including the related regulations within the standards is helpful?

Agree	x	Disagree		Neither agree nor disagree		Don't know	
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Please explain your response:

The inclusion of the regulations helps with referencing them and provides additional useful context to the standards.

Question 3: Do you agree or disagree that it's helpful to have links to documentation to support with raising quality within each standard?

Agree	x	Disagree		Neither agree nor disagree		Don't know	
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Please explain your response:

The further guidance and support section is helpful and should help settings access relevant information. For those standards that relate to play and playwork, it may also be worth linking to resources on our website including the Quality Mark, Chwarae o Safon: www.play.wales

- We seek your views on updates to the “What do we mean by High Quality Provision” chapter within the NMS.

Question 4: Do you agree or disagree that we should update the ‘What do we mean by High Quality Provision’ chapter of the NMS so that it further aligns with ECPLC principles?

Agree	x	Disagree		Neither agree nor disagree		Don't know	
Please explain your response: We agree that this would be helpful for the sector, especially those whose work closely aligns with ECPLC. However, we also suggest making reference to other sector-developed or sector-endorsed quality assurance schemes, such as Chwarae o Safon, as was previously done with the first Open Access Standards where <i>The First Claim ... a framework for playwork quality assessment</i> was referenced: https://play.wales/playwork/quality-assurance/							

To help inform future policy development and our continued commitment to the vision for ECPLC, we would value your responses to the following engagement questions:

Engagement Questions

Engagement A: What further changes would you like to see within the National Minimum Standards statutory guidance to support the [Early Childhood Play, Learning and Care \(ECPLC\) vision](#)

Supporting comments: We know from feedback, that when those involved in ECPLC provision undertake playwork training or qualifications, it benefits their practice. We would welcome discussion about additional guidance that links the playwork approach, underpinned by the Playwork Principles, with the core principles of ECPLC (Enabling Adults, Effective Environments and Engaging Experiences).

Engagement B: Do you have any other comments with regards to the chapter ‘What do we mean by High Quality Provision’?

Supporting comments:

We would suggest it references 'minimum standards,' rather than 'minimum or basic requirements' – for consistency of language.

The reference to 'continuous improvement' would be strengthened by some qualifying statements. In some cases, continual improvement is not possible, this may be due a range of factors including: movement of staff, cultural or social factors and funding. Reference to maintaining quality and working proactively to identify actions to avoid a reduction in quality would address this.

- Your views are sought on whether you agree with the proposed change to the open access play definition.

Question 5: Do you agree or disagree with the update to the definition on Open Access Play?

Agree	x	Disagree		Neither agree nor disagree		Don't know	
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Please explain your response:

This has been developed in consultation with Play Wales, the Playwork Education and Training Council for Wales (PETC Wales) and other sector networks. We believe that the updated definition better reflects the current context for open access playwork settings.

Whilst updating the definitions and as part of our commitment to ensure the NMS is fit for purpose, we have also considered developing some examples of sector types that may be added to the NMS to support with the definitions.

Engagement Questions

Your views are sought on whether developing examples to support the definitions of day care provision are helpful

Engagement Question C: Do you think adding examples of types of provision within the definitions of each of the subcategories of day care would be helpful?

Yes	X On the basis that the examples are developed with settings and respective sector experts.
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No	
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Question 6: We propose that a more proportionate approach to First Aid Training-Open Access Play (Standard 10) would be to require at least one person to be on the premises at all times with a full first aid qualification, with contingencies in place for additional staff to hold first aid qualifications, subject to a risk assessment of the types of activities undertaken. Do you agree or disagree with this proposal?

Agree	x	Disagree		Neither agree nor disagree		Don't know	
Please explain your response: Yes, this better reflects the original approach in the first open access NMS and the current context for open access. Especially for seasonal provision.							

Question 7: Do you agree or disagree with the changes proposed for a proportionate approach to Standard 13: Suitable person Other Staff (Qualifications) for Open Access Play?

Agree	x	Disagree		Neither agree nor disagree		Don't know	
Please explain your response: This change better reflects the feedback of the open access playwork sector over the last ten years and is a welcome change. Alongside some of the other proposed changes, we hope that this will support more open access settings to register in the coming years.							

- Your views are sought on whether you agree with the proposed changes to Standard 11.

Question 8: Do you agree or disagree with the changes made to Standard 11 Medication to show the distinction between prescribed and non-prescribed medication?

Agree	x	Disagree		Neither agree nor disagree		Don't know	
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Please explain your response:

The proposed changes appear to clear up any ambiguity and ensure that parents are informed of medication procedures, especially in relation to medical emergencies.

Engagement Question

Your views are sought on whether the development of an additional NMS Annex to provide further guidance and support when children become unwell whilst being cared for at the setting is helpful

Engagement Question D – Do you think the [NMS Annex- Guidance for administering liquid paracetamol when children become unwell at the setting](#), helps to explain what the setting can and cannot do in relation to administering liquid paracetamol in the situations described?

Yes	x
No	

Please explain your response:

The Annex is clear and should help settings understand when they can and can't administer liquid paracetamol.

- Your views are sought on whether you agree with the proposed changes to Standard 13.

Question 9: Do you agree or disagree with adding the following to Standard 13 (DC): Suitable person (Day Care)?

New standard: Percentages for qualified and unqualified staff must be met across the setting as a whole, rather than on a room-by-room basis. Careful consideration must be given to the deployment of staff throughout the setting **and** within each room to ensure the safety, welfare and development needs of children are met at all times, including those with additional needs and disabilities.

Agree		Disagree		Neither agree nor disagree		Don't know	
Please explain your response: We have not responded to this question as it is outside Play Wales' remit.							

Question 10: Do you agree or disagree with adding the following to Standard 13 (DC): Suitable person (Day Care):

New Standard: Dependent upon each setting's individual staffing levels, it may be necessary to deploy more staff where specific support is identified to meet children's individual needs. Minimum adult: child ratios must still be met. Any member of staff who is employed to work with specific children to provide extra support may not be counted within the standard staffing ratios.

Agree		Disagree		Neither agree nor disagree		Don't know	
Please explain your response: We have not responded to this question as it is outside Play Wales' remit.							

- Your views are sought on whether you agree with the proposed changes to **Standard 13: Suitable person (CM)**.

Question 11: Do you agree or disagree that child minding assistants could be employed if working towards the assistant qualification but not be left unsupervised with children during this time, and must complete the qualification within 6 months?

Agree		Disagree		Neither agree nor disagree		Don't know	
Please explain your response: We have not responded to this question as it is outside Play Wales' remit.							

Question 12: Do you agree or disagree that child minding assistants could be left in sole charge of children, in line with the adult to child staffing ratios, for up to two hours a day in total if all the requirements of the guidance within Annex A and Standard 13 are complied with?

Agree		Disagree		Neither agree nor disagree		Don't know	
Please explain your response: We have not responded to this question as it is outside of Play Wales' remit.							

Your views are sought on whether you agree with the proposed changes to Standard 15.

Question 13: Do you agree or disagree with the following:

The maximum number of children for whom a child minder can care for is as follows:

- Ten children up to 12 years of age;
- Of those ten children, no more than six may be under 8 years of age.
- Of those six, no more than four may be under 5 years of age.
- Of those four no more than three may be under 2 years of age
- Of those three children, normally no more than two may be under 18 months of age, although exceptions can be made for siblings.'

Agree		Disagree		Neither agree nor disagree		Don't know	
Please explain your response: We have not responded to this question as it is outside Play Wales' remit.							

Question 14: Do you agree or disagree that children who are due to start full-time statutory schooling (reception year) in the September could be classed as over 5 years old in the summer holidays immediately before this for the purposes of the ratios relevant to child minders?

Agree		Disagree		Neither agree nor disagree		Don't know	
Please explain your response: We have not responded to this question as it is outside Play Wales' remit.							

Question 15: Do you agree or disagree that children aged 3-5 years old who attend an educational provision or a combination of an educational provision and wrap-around childcare within school hours at another setting for five or more hours per day could be classed as over 5 years old for the purposes of the ratios relevant to child minders?

Agree		Disagree		Neither agree nor disagree		Don't know	
Please explain your response: We have not responded to this question as it is outside Play Wales' remit.							

Engagement Questions

- Your views are sought on any likely impact on the Welsh Language.

Engagement Question E: What, in your opinion, would be the likely effects of the proposed changes to the NMS on the Welsh language? We are particularly interested in any likely effects on opportunities to use the Welsh language and on not treating the Welsh language less favourably than English.

Do you think that there are opportunities to promote any positive effects?

Yes	x
No	

Please explain your response:

The move to HTML based NMS could make it easier to access bilingual versions by toggling using the button on the website.

Do you think that there are opportunities to mitigate any adverse effects?

Yes	
No	

Please explain your response:

Engagement Question F: In your opinion, could the proposed changes to the NMS be formulated or changed so as to:

- have positive effects or more positive effects on using the Welsh language and on not treating the Welsh language less favourably than English; or
- mitigate any negative effects on using the Welsh language and on not treating the Welsh language less favourably than English?

Yes	
No	

Please explain your response:

Engagement Question G: We have asked a number of specific questions on Welsh Language. If you have any related issues which we have not specifically addressed, please use this space to report them:

Comments:

- Your views are sought on whether there are any other amendments the Welsh Government should make to the standards.

In the Review, recruitment and retention issues were noted as a problem across the sector. Therefore, in the last refresh of the NMS in 2023, we updated childcare qualifications requirements for day care providers under Standard 13: Suitable person (DC)) – to allow 20% of staff in full day care settings and 10% of staff in sessional or open access play settings who are working towards a qualification to be included in the staff qualification ratios (with conditions applied).

Engagement Question H: Do you have any comments on the current working towards requirements?

Supporting comments:

We are supportive of greater flexibility in relation to ‘working towards’ qualifications. However, this could cause confusion for open access settings especially in light of the proposed changes in Question 7 regarding qualifications. 50% of all other staff can now be unqualified and 50% require a level 2 qualification. It is not clear how this 10% would work for the 50% of staff who require a level 2 qualification. It is unlikely that most settings would have enough staff on site for this 10% to be a whole person. This needs further consideration.

- Chapters of an Integrated Impact Assessment have been published as part of this consultation; Section 1 and 8, Welsh Language and Children’s Rights Impact Assessment.

Engagement Question I: What comments, if any, do you have on the draft impact assessments, particularly impacts on children, families and those living in socio-economic disadvantage (including evidence you feel should be considered)?

Supporting comments:

Engagement Question J: A draft Equalities Impact Assessment has also been developed as part of this exercise; to assist us further please add any comments on any impacts you feel the changes could have on people with protected characteristics (including evidence you feel should be considered)?

Supporting comments:

Engagement Question K: Do you have any other comments or suggestions with regards to the NMS that you wish to provide at this time?

Supporting comments:

The Ministerial Review of Play called for greater proportionality with regards to regulation and inspection. We remain optimistic that some of the proposed changes will help with this. These are changes that we have called for over the last ten years or more. It is important to emphasise the important overlap and inter-relatedness between the proposed changes to the NMS, the Exceptions Order regulation changes (which are proving very complex) and the proposed approval scheme. As well as these consultations there is the addition of bespoke NMS for open access playwork and the ability to register multiple sites under a single registration. Some of these changes are very complex and it remains to be seen as to how they will impact on setting registration for open access playwork and the inspection process. We are keen to continue to work with the sector and the Welsh Government to monitor this to work towards the aspiration of a more proportionate approach that safeguards children and still ensures quality.

Thank you for completing this form.