



## Childminder Digital Contract FAQs

When embarking on any form of childminding arrangement with a parent or guardian, it is very important to ensure that the arrangement is formalised. PACEY's Childminding Digital contract defines the relationship you have with the parents.

The contract is tailor-made to meet your needs and include useful guidance notes to help you negotiate and agree terms with parents or guardians. The completion of a written childminding contract is a regulation requirement in Wales and part of the EYFS in England.

All PACEY members have access to the **24/7 PACEY Legal Advice Line** where qualified solicitors are on hand to offer you practical-telephone-based advice. In addition PACEY members benefit from up to £100,000 Insurance to pay for legal and professional fees in respect of legal proceedings, which could assist you if you have a dispute with a parent or guardian about the terms of your contract.

These FAQs are designed to answer potential questions that may crop up when you complete a digital contract.

If you can't find the information you require please use the following points of contact:

- For legal support (PACEY members only) call: 02921 156458
- For questions and help completing the contract, please email: [digitalproducts@pacey.org.uk](mailto:digitalproducts@pacey.org.uk)

### 1. Purchasing a contract and creating an account

#### How do I purchase a digital contract?

PACEY Digital Products are only available to buy online. Please visit [www.pacey.org.uk/digital-contracts](http://www.pacey.org.uk/digital-contracts) to make a purchase.

#### What is the difference between a digital and a paper contract?

The content of the paper and digital contracts are almost identical, both have been checked by PACEY's legal team. The paper contracts are sold in books of six and on self-duplicating paper. These paper contracts then need to be filed in a secure lockable cupboard and kept for a minimum of six years after the child has left your setting ([see section 3](#)).

Digital contracts are legally binding but completion is done online, you can still choose to complete the contract with a parent, or email the contract between you until it is finalised. The resulting contract needs to be downloaded and stored securely digitally, or printed and filed in exactly the same way as you store a paper contract.

## Creating an account

Once you have purchased a contract from the PACEY shop you will receive an email to create an account on the [digitalcontracts.pacey.org.uk](https://digitalcontracts.pacey.org.uk) portal. Please choose a secure and memorable password. If you haven't received an email within 12 hours of purchasing the contract please contact: [digitalproducts@pacey.org.uk](mailto:digitalproducts@pacey.org.uk).

### How do I access my contracts?

Once you have logged in you will be able to see the amount of contracts available to you under Childminding Digital Contracts. Simply click 'create first draft' to start your contract. If there is a discrepancy between the number of contracts you have access to and the amount you have purchased please email: [digitalproducts@pacey.org.uk](mailto:digitalproducts@pacey.org.uk).

### How do I change my password?

Once you are logged in, click on the arrow next to your name at the top right of the screen. Click on 'profile' and then within the 'user details' screen you will be able to update your password.

### I can't log in, what should I do?

Click the forgotten password button, but if you do not receive an email with a link (please check spam and junk folders) then email: [digitalproducts@pacey.org.uk](mailto:digitalproducts@pacey.org.uk).

## 2. Completing the contract

### What are the guidance notes for?

The contract includes detailed guidance notes on completing the contract. **It is essential before completion of the contract that you read each page and understand the notes for guidance in full.** You must ensure each page of the contract is completed in full. If the contract is not completed in full, then in some circumstances, any rights you have under the contract, for example, debt recovery of outstanding fees, may not be covered by your legal expenses insurance.

### How much information do I need from the parent before I start? Can I complete the contract with the parent?

A face to face conversation with a parent before completing a contract is good practice. Negotiating a contract is also a great opportunity to talk about your childcare setting, covering additional information such as why it is important that parents drop off their child at a certain time, your healthy eating policy, or how you set boundaries for the child.

Digital contracts are designed to make the process of completing the contract easier, the parent can either provide information to you prior to completing the contract, you can do it with the parent, or you can allow the parent to complete the child's details themselves. The childminder is the only person able to finalise the contract.

### Do I need a separate contract for siblings or if circumstances change?

PACEY recommends you negotiate a separate contract for each child, even if they are from the same family. A new contract should also be negotiated when a child starts school, whether part or full-time to cover out-of-school hours and any school holiday periods.

### **Do I need proof of address from the parents?**

PACEY recommends you obtain proof of parents' or guardians' address, this could be in the form of a bill or statement addressed to the parents.

### **When should I start the contract?**

The contract should start on the first working day after the settling-in period has finished. If you agree a settling-in period (we recommend two to four weeks) the starting date of the full contract should be agreed and clearly shown.

### **Should I take charge fees in advance?**

PACEY strongly recommends that fees are paid in advance and that a deposit is taken from parents at the outset or that they pay up to four weeks' payment in advance. Should the parents end the arrangement, without giving you notice or paying you in lieu of notice, you can agree that you will be able to retain the deposit or advance payment against payment for the notice period.

Details of any deposit should be agreed and included in the contract. If you cannot offer the place as agreed then the deposit should be returned to the parent(s) in full.

### **I don't understand some of the sections on the contract?**

Each section is linked to guidance notes which provides a detailed explanation. Look for a number in brackets next to the required information on the contract, and then refer to the corresponding guidance note.

### **What if I need to ask questions or verify something that is in the contract?**

We recommend you talk to the parent rather than continually emailing backwards and forwards. You can clarify all any queries in one go.

### **I can't see what changes the parents made to the contract?**

Any parent completing the contract is only able to edit certain sections including child, parent/guardian and emergency contact details; contracted hours and date. Please check these sections carefully to ensure they match your expectations.

### **When should I sign the contract?**

You should only sign and complete the contract when you are confident there are no more changes and the parent has signed to say they are happy with the contents. Once the contract is complete it cannot be amended or changed in any way and will only be available as a PDF.

## **3. Changing and storing the contract**

### **What if I need to change the contract?**

If you need to amend a completed contract we recommend you talk to the legal helpline on 02921 156458 and seek advice as to whether a printed version could be amended and signed, or whether you need to create a brand new contract.

### **How long will the contract stay on the portal?**

**The contract once completed will only stay on the portal for 90 days after which time it is deleted.** It is your responsibility as a childcare provider to download and securely store the contracts as you

usually would. The PACEY digital products portal is purely designed to facilitate contract completion, it should not be used to store your contracts indefinitely.

### **How long and where should I keep the contract?**

You should download and securely store the contract electronically or in print form.

In standard cases it is recommended that you keep the contract for six years after the child has left the setting.

If there are special circumstances, PACEY recommends seeking legal advice. Special circumstances include a serious complaint; issues of child protection; a child who has been badly injured; a child who is on regular medication; a child who has severe allergies or a child has a serious illness. In this instance, we recommend retaining records until the child reaches 25 years of age, but after that period the records should be destroyed.

You should also take advice about making and retaining copies, particularly if you are required to provide information to a third party.

### **How often should I review the contract?**

We recommend that a childminding contract is reviewed every 12 months or sooner if there are changes to childcare arrangement, but this is at the childminder's discretion.