

(Nairobi City County Legislative Supplement No. 2)

LEGAL NOTICE NO. 2

THE NAIROBI CITY COUNTY CHILDCARE FACILITIES ACT

(No. 7 of 2017)

IN EXERCISE of the powers conferred by section 26 of the Nairobi City County Childcare Facilities Act, 2017 the County Executive Committee Member Education, Youth Affairs, Culture, Children and Social Services makes the following Regulations—

THE NAIROBI CITY COUNTY CHILDCARE FACILITIES REGULATIONS, 2026

PART I—PRELIMINARIES

Citation

1. These Regulations may be cited as the Nairobi City County Childcare Facilities Regulations, 2026.

Interpretation

2. In these Regulations unless the context otherwise requires—

“The Act” means the Nairobi City County Childcare Facilities Act, 2017;

“Abuse” means physical, sexual, psychological, emotional and neglect or harm;

“Approved Building plans” means plans approved in accordance with the physical planning and land use Act;

“Authorized officer” means an officer authorized to inspect premises for compliance purposes under county and/or national government legislation;

“Centre based childcare facility” means childcare facility operating away from home set ups;

“Chief Officer” means the officer for the time being in charge of childcare facilities appointed under section 45 of the County Governments Act;

“Children with special needs” means children who are restricted or lack ability to perform an activity in a manner considered normal for children of a similar age or age group as a result of physical, emotional, mental or other health conditions and environmental factors and have been duly assessed by relevant experts;

“Childcare Facility Manager” means a person charged with the responsibility of daily administration of a childcare facility;

“County” means Nairobi City County Government;

“Data Controller” means a natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purpose and means of processing of personal data;

“Data Subject” Means the identified or identifiable natural person to whom personal data relates (which, in the context of this Regulation, shall primarily be the child and/or their parent/guardian);

“Data processor” in the context of a daycare center is an entity or individual that handles personal data of children, parents, or staff on behalf of the daycare, such as managing attendance systems, payment records, or health information;

“Facility” means a childcare facility;

“Homebased childcare centre” means childcare facilities operating in facilities similar to home set ups, away from the child’s home;

“Intersex child” means a child with a congenital condition in which the biological sex characteristics cannot be exclusively categorised in the common binary of female or male due to inherent and mixed anatomical, hormonal, gonadal or chromosomal patterns, which could be apparent prior to, at birth, in childhood, puberty or adulthood;

“Person” means a person with legal standing and includes a company, corporation, firm, partnership, association, society, trust or other organization, whether incorporated or not;

“Personal Data” means any information relating to an identified or identifiable natural person (including the child, parents, and staff);

“Processing” means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means;

“Potable” has the meaning as defined in the Public Health Act;

“Private childcare facilities” means childcare facilities established and managed by persons, businesses, communities or organisations other than state entities;

“Public childcare facilities” mean childcare facilities run and operated by state entities; and

“Sensitive Personal Data” includes, but is not limited to, data revealing a person’s health status, genetic data, or biometric data.

PART II —STANDARDS IN FACILITIES

Objects and Purpose

3. The objects and purpose of these Regulations is to —

- (a) prescribe the minimum standards that ensure the health and a safety of children and for a satisfactory environment for childcare in childcare facilities;
- (b) ensure a transparent and structured application process for applicants who shall establish childcare facilities;
- (c) provide for the minimum size of childcare facilities and the number of children each facility may hold;
- (d) establish standards of hygiene and sanitation to be observed by each childcare facility;
- (e) prescribe procedures for reporting of complaints against a childcare facility by an aggrieved parent or member of the public and action to be taken by the Sector upon receiving such complaint;

- (f) prescribe procedure for an appeal by the applicants for license or owners of a license to the Executive Committee member;
- (g) prescribe fees payable;
- (h) prescribe the qualifications of staff in a childcare facility registered under this Act;
- (i) prescribe the guidelines on maintaining an appropriate staff to child ratio depending on age;
- (j) prescribe the parameters in relation to assessment of facilities prior to licensing; and
- (k) prescribe a structured quality assurance framework to enable the county ensure adherence to the required standards.

Categories of Childcare facilities

4. (1) A childcare facility established under the Act shall be categorized as under—

- (a) Public childcare facilities; and
- (b) Private childcare facilities.

(2) Private childcare facilities shall include Home-based and Centre-based childcare facilities.

Principles and Standards for childcare facilities

5. (1) The County Chief Officer responsible for Children services may prescribe further rules on the standards of childcare facilities under this Act.

- (2) The facilities shall adhere to the following principles and standards—
- (a) a child's best interests are of paramount importance in every matter concerning a child;
 - (b) ensure respect for human dignity, accountability transparency and non-discrimination;
 - (c) equity and equality for the children, staff and parents;
 - (d) provide for children with special needs;
 - (e) transparency in staffing levels at facilities;
 - (f) encourage parental involvement;
 - (g) the facility shall be built and operated in a sustainable manner with the requisite approved building plans;
 - (h) the Proprietor and facility shall be registered under the Act and these regulations;
 - (i) the facility shall be Licensed under the Act;
 - (j) prescribe a Child Protection policy;
 - (k) prescribe rules to ensure clean and potable water and sanitation services;
 - (l) the facility shall provide adequate play spaces;
 - (m) provide a daily program and maintain an incident record in a transparent manner;

- (n) supervision and control of the use of pesticides in the facilities; and
- (o) the facility shall ensure that all collection, storage, use, or disclosure of personal data concerning children, parents, and staff is done in strict compliance with the principles, obligations, and rights stipulated under the relevant national data protection law and any subsidiary regulations made thereunder.

(3) The Standards to be adopted by all facilities in the county shall be as prescribed in the first schedule to these regulations.

Admission

6. (1) A child shall be eligible for admission to a facility without any form of discrimination.

(2) The Facility shall have an admission form and file maintained for every child and available for perusal by Quality, Assurance and Standards officer from time to time.

(3) A Child's file shall contain —

- (a) copy of child immunization card;
- (b) copy of birth certificate or birth notification;
- (c) duly filled parental consent form CCF5 prescribed in the third schedule of these regulations;
- (d) copy of parents' or legal guardian's ID and/or a birth certificate for an under-age parent;
- (e) duly filled admission form CCF4 prescribed in the third schedule of these regulations;
- (f) where applicable, rescue/referrals form; and
- (g) copy of child's health record for children with special needs, disabilities or any known health or social condition.

(4) The information collected in (3) above is personal data and is confidential and shall only be processed in accordance with the provisions of the Data Protection Act (Cap. 411C) and shall not be transferrable to any person without explicit, free, and informed consent from the parents or legal guardian.

(5) Every Childcare Facility shall be deemed a data controller and a data processor.

(6) The proprietor or management entity operating the Childcare Facility shall ensure that the facility is mandatorily registered with the Data Commissioner, as operating an educational institution is a purpose requiring compulsory registration under national regulations. The data shall be—

- (a) Adequate, relevant, and limited to what is necessary in relation to the purposes for which it is processed (Data Minimisation);
- (b) Accurate and, where necessary, kept up to date;
- (c) Kept in a form which identifies the data subjects for no longer than is necessary for the specific purposes for which it was collected (Storage Limitation).

(7) (a) Personal data relating to a child (a minor) shall not be processed unless consent is given by the child's parent or guardian.

- (b) Processing of child data must be done in a manner that protects and advances the rights and best interests of the child.
 - (c) The facility shall ensure that mechanisms for age verification and obtaining parental consent are incorporated into its admission and consent procedures.
- (8) Before collecting personal data, the facility shall inform the parent/guardian (the Data Subject exercising rights on behalf of the child) of—
- (a) the purpose for which the data is collected.
 - (b) the rights of the data subject (including the right to access, object, rectify, or erase data);
 - (c) the security measures taken to ensure the integrity and confidentiality of the data.
- (9) The facility shall take appropriate technical and organizational measures to secure personal data against unlawful destruction, accidental loss, unauthorized access, or disclosure. These measures shall address the amount of personal data collected, the extent of its processing, the period of its storage, and its accessibility.
- (10) Measures must include protocols for integrity, confidentiality, and availability of data, such as securing transfers and storage, using back-ups, and regularly testing systems for vulnerabilities.
- (11) (a) In the event that the facility becomes aware of a personal data breach (a breach of security leading to accidental or unlawful destruction, loss, alteration, or unauthorized disclosure of personal data), the facility must notify the Data Commissioner without undue delay, and where reasonably practicable, within seventy-two hours of becoming aware of the breach.
- (b) The facility must also communicate the breach to the affected parents/guardians (Data Subjects) to enable them to take protective measures.
- (12) The facility shall establish clear internal mechanisms to allow parents and guardians to easily exercise their rights, including—
- (a) the right to access the child's personal data held by the facility, typically within seven days of a request;
 - (b) the right to request rectification of inaccurate, outdated, incomplete, or misleading data;
 - (c) the right to request erasure or destruction of false or misleading data about the child.
- (13) The Chief Officer shall ensure the provision of school based and youth-friendly childcare facilities in county facilities including but not limited to public schools, markets, health centres and hospitals, vocational training institutions and county offices- ensuring equitable distribution across the sub-counties.

Enforcement of standards

7. (1) Standards and rules made under the Act and these regulations shall be enforced by the Chief Officer through the Quality Assurance and Standards officers.

(2) The Quality, Assurance and Standards officers shall make reports to the Chief Officer.

Incident Reporting

8. (1) The facility shall maintain an incident record and make it available to the Quality, Assurance and Standards officer upon request.

(2) The Quality, Assurance and Standards officer shall include the incident report in their inspection report to the Chief Officer.

(3) The Chief Officer shall take appropriate administrative action in accordance with the Act and these regulations.

(4) An incident record shall be in the prescribed form CCF 10 as contained in the third schedule of these regulations.

PART III —LICENSING AND REGISTRATION OF CHILDCARE FACILITIES

Registration of Childcare facilities.

9. (1) A person seeking to operate and maintain a childcare facility shall be a Kenyan citizen, Kenyan resident or an entity registered in Kenya.

(2) A foreign citizen seeking registration of a childcare facility shall comply with the following conditions—

- (a) a valid Kenyan work permit;
- (b) proof of advanced childcare experience and knowledge; and
- (c) shall employ a Kenyan citizen who shall be the Facility Manager.

(3) A foreign national, or an entity registered in Kenya where the majority ownership or controlling interest is held by foreign nationals, seeking to register or maintain a childcare facility shall satisfy the following additional conditions concerning ownership and governance—

- (a) The foreign national applicant must enter into a formal partnership agreement with one or more Kenyan citizens who shall jointly exercise managerial or oversight responsibility in the operation of the facility.
- (b) Where the applicant is a company, corporation, firm, partnership, association, society, trust or other organization, it shall demonstrate that Kenyan citizens maintain controlling interest in the entity applying for registration, or the entity is registered in Kenya and subject to Kenyan law.

(4) No foreign person shall act as a director, proprietor, or hold any executive or management capacity in the operation of the childcare facility unless that person is legally resident in the Republic of Kenya and has been resident for a continuous period of not less than twelve months immediately preceding the application or appointment.

(5) A foreign national who is a director, proprietor, or hold any executive or management office in the operation of the childcare facility shall not remove themselves from the jurisdiction of the Republic of Kenya for a period exceeding thirty continuous days without formally appointing an authorized Kenyan substitute manager and notifying the Chief Officer, ensuring continuous compliance with the legal framework for the care and protection of children.

(6) The applicant for registration shall ensure that the facility is registered in the prescribed form CCF1 as provided in the third schedule to these regulations.

(7) The name of the Childcare facility shall not mislead the public on its purpose and objectives.

(8) The application for registration shall be presented to the Chief Officer.

(9) The application for registration referred to in (8) above shall be accompanied by—

- (a) a registration fee as prescribed in the second schedule of these regulations;
- (b) a copy of national identity documents of the person(s) operating the facility;
- (c) valid property registration documents and an updated search of the property or a tenancy agreement covering a period of not less than four years;
- (d) certified copies of identification documents, academic and professional qualifications of proposed staff to be employed in the facility;
- (e) approved building plans and adjustment orders together with the current years' planning report;
- (f) occupation certificate for the facility;
- (g) fire compliance certificate;
- (h) a public health report;
- (i) quality Assurance report;
- (j) a complete Childcare facility daily routine program and plans for the current calendar year;
- (k) certificates of good conduct for the proprietors and staff of the facility.

(10) The registration fee shall be paid once upon approval by the Chief Officer and shall not be refundable.

Inspection of Facilities under special circumstances

10. (1) The Chief Officer may on his/her own initiative request an authorized officer(s) to inspect a facility for the purposes of ensuring compliance with the conditions of registration.

(2) The authorized officer shall give a detailed report on the compliance of the facility and shall recommend the approval of registration, deregistration or otherwise regarding the facility.

(3) The authorized officer shall maintain a copy of the inspection report and shall give a copy to the facility proprietor or manager upon inspection of the facility.

(4) If the facility proprietor/facility manager is dissatisfied with the outcome of the inspection conducted in regulations, an application for re-inspection may be forwarded to the Chief Officer.

(5) The proprietor/facility manager shall have seven days to request re-inspection

(6) The Chief Officer may authorize the re-inspection of the facility if he/she is satisfied that—

- (a) the authorized officer may have erred in his/her inspection report;
- (b) there is reasonable belief of a possible conflict of interest.

Conditions for suspension of Registration

11. (1) The Chief Officer may suspend the registration of a Childcare Facility where—

- (a) the County Chief Officer has reasonable cause to believe that the Facility has pursued or is likely to pursue an unlawful cause or purpose prejudicial to the peace, welfare or good order of children or the community;
- (b) the staff of the Facility fail to comply with the Act and these regulations and conditions for registration and issuance of a license; or
- (c) the proprietor/facility manager fails to submit any information required under these regulations or requested by the County Chief Officer in order to confirm compliance with these regulations; or
- (d) the Chief Officer determines that the proprietor/facility manager submitted false information or statements at the time of registration of the Facility;
- (e) the Facility is closed down in accordance with relevant county and/or national law.

(2) Suspension shall remain in force until the facility satisfactorily complies with all the requirements imposed by relevant authorities.

Conditions for Deregistration

12. A facility may be deregistered where—

- (a) the proprietor is a company and is wound up in accordance with any relevant law;
- (b) the proprietor submitted false or misleading information in the application (The facility fails to comply with the provisions of these regulations, the Act and/or any other relevant laws;
- (c) the facility managers and staff commit a material breach of the Act and these regulations.

Conditions for revocation of a license

13. (1) The County Chief Officer shall not revoke a license unless—

- (a) a notice of De-registration has been issued in the prescribed form CCF9 as set out in the third Schedule to these regulations;
- (b) explain the reasons for deregistration and give the facility fourteen days in which to respond to the reasons set forth in the notice of de-registration.

(2) A facility may object to the decision taken by the County Chief Officer and the appeal may be lodged within 14 days of receiving the de-registration notice in accordance with this Act.

(3) De-registration process shall take a maximum of 90 days.

Transitional and Support Provisions for Existing Homebased Childcare Facilities

14. (1) To ensure a transparent and structured application process for applicants who have already established homecare facilities prior to the operationalization of these regulations, the Chief Officer shall take the following measures to enable such entrepreneurs comply with the provisions of these regulations herein—

- (a) ensure mapping, identification, and assessment of existing homecare centers;

- (b) assist applicants from such centers to obtain the requisite licenses and permits and to achieve compliance with these regulations;
- (c) provide continuous training for entrepreneurs and staff of homecare centers;
- (d) implement affirmative action measures for teen mothers operating homebased Childcare facilities;
- (e) promote a coordinated, sustainable, transparent and accountable mechanism through which the department supports and provides linkages for homecare centers in collaboration with state and non-state stakeholders; and
- (f) introduce a transparent ranking system for homecare centers that incentivizes compliance.

(2) The Chief Officer shall maintain records of actions taken under this regulation and shall present an annual report on measures implemented to the County Executive Committee within fifteen days after the end of each financial year.

Electronic filling of forms and electronic payment

15. (1) Upon successful completion of inspection, for purposes of filing a form and effecting payments as prescribed in these regulations by using the electronic means, a person shall —

- (a) log in to the county web portal as specified in the county automation guidelines issued from time to time;
- (b) sign up by completing an online registration form;
- (c) fill the appropriate online form;
- (d) Receive a confirmation of completion of the form;
- (e) Make the prescribed payment of any fees by cash at county offices, deposit monies for the fees in county bank accounts as prescribed or pay fees using applications on mobile devices.

(2) Upon making the requisite payments for applications or other services under these regulations, an electronic receipt, license or application as requested shall be generated and the person shall print the receipt and license or application duly paid for.

(3) A signature on an electronically filled applications under these regulations is presumed valid and authentic until established otherwise by convincing evidence disputing Authenticity or Validity of Signatures.

(4) The Chief Officer shall make rules for the step-by-step electronic procedures for registration, application and licensing from time to time.

(5) For persons unable to complete the electronic process above the chief officer will provide options for assisted registration and payment.

PART IV —RECORDS

Records

16. The facility shall maintain—

- (a) Health records;
- (b) Developmental progress records;

- (c) Admission files for the children;
- (d) Incident record;
- (e) Personnel records;
- (f) Administrative records;
- (g) Statistics on employment of caregivers and other staff;
- (h) Admission Registers;
- (i) Children attendance Registers;
- (j) Financial Records;
- (k) Inventory Record;
- (l) Inspection and Supervision Records;
- (m) Registration certificates;
- (n) Occupation certificate;
- (o) Health permits as prescribed under the Public Health Act;
- (p) County business permit;
- (q) Fire safety permit;
- (r) Visitors Record;
- (s) Desegregated data on the number of children served;
- (t) Data inventory detailing the personal data collected, categories of data subjects, purposes of processing, retention periods, and security measures employed;
- (u) Data Breach Log recording the facts relating to any data breach, its effects, and remedial action taken; and
- (v) Record of Data Subject Requests (including requests for access, rectification, erasure, or objection).

Reports to the County Government

17. (1) The facility shall make biannual reports to the Chief Officer detailing —
- (a) Enrolled and exited children;
 - (b) Health and nutrition information;
 - (c) Child development progress;
 - (d) Incidences;
 - (e) Donations received;
 - (f) Staff training;
 - (g) a summary of data protection compliance activities, training conducted for staff who are the data handlers, and any security risks identified, or data breaches recorded in the preceding quarter.

PART V —COMPLAINTS AGAINST FACILITIES

Complaints against facilities

18. (1) A person who is aggrieved by a facility may lodge a complaint with the county chief officer in the prescribed form CCF11 as contained in the Third Schedule to these regulations.

(2) The complaint in (1) above may be lodged as soon as it is discovered.

(3) The complaint may be lodged anonymously.

(4) The chief officer shall maintain a complaint register

(5) The chief officer shall respond to the lodged complaint within a period of 72 hours from the time of the complaint.

(6) The Chief Officer shall ensure the received complaint is resolved within three months.

(7) An aggrieved facility may lodge an appeal with the CECM within 14 days if dissatisfied with the decision made by the chief officer.

Offences

19. (1) No person shall obstruct or hinder, or knowingly make a false or misleading statement to an authorized officer or the Quality Assurance Officer who is carrying out duties under this Act. A person who obstructs the authorized officer or quality assurance officer commits an offence under these regulations.

(2) An authorized officer or Quality Assurance Officer may not enter a dwelling other than a registered facility except with the consent of the occupant or for the purposes of inspection for an intended facility.

(3) When inspecting a facility, a quality assurance officer shall not use force unless such officer is accompanied by a police officer and the use of force is specifically authorized in the warrant.

(4) A person who contravenes the provisions of these regulations commits an offence and is liable upon conviction to general penalties as set out in the Act and the law.

FIRST SCHEDULE

STANDARDS FOR CHILDCARE FACILITIES

1. Physical Infrastructure

- (a) All Childcare Facilities infrastructure should be child friendly. All facilities shall be required to use infrastructure that will reduce incidents of injuries, spread of diseases or difficulties in provision of quality services.
- (b) Childcare Facilities shall ensure that the infrastructure is in place and maintained in accordance with the relevant regulations and standards.
- (c) These infrastructure and safety measures include, but are not limited to —
 - (i) safe and sound buildings;
 - (ii) safe and adequate play spaces;
 - (iii) age-appropriate play;
 - (iv) equipment;
 - (v) safe indoor and outdoor environment;
 - (vi) marked and dedicated fire exits together with fitted firefighting equipment with requisite updated inspection certificates;
 - (vii) transport safety;
 - (viii) safe and age-appropriate toilets facilities (includes potties) enough for the number of children);
 - (ix) proper drainage;
 - (x) appropriate lighting and ventilation with doors and windows that easily open outside;
 - (xi) safe and age-appropriate furniture;
 - (xii) the space, buildings and facilities shall have adjustments that are approved in accordance with relevant laws for use by persons with special needs and disabilities;
 - (xiii) a usable floor space minimum of two square metres (2sqm) per child including circulation.

2. Health, Water, Sanitation and Hygiene

- (a) For the health of all children, the Childcare Facility shall—
 - (i) ensure provision of balanced and nutritious diet both in quality and quantity for children under their care;
 - (ii) ensure proper hygiene of premises, play equipment and materials;
 - (iii) provide micro nutrients supplement programmes and use of fortified foods to target malnourished children;
 - (iv) ensure programmes to promote good health practices, hand washing, proper toilet use and good dental hygiene;

- (v) put in place disease prevention and control measures to prevent spread of infections;
- (vi) have first aid kits and urgent referral system for emergencies;
- (vii) work with relevant national and county health officers to strengthen programmes for early detection of special needs and disabilities in infants and young children for appropriate referrals.

3. Play Spaces

- (a) All Facilities shall support and promote play as an integral part of child development. The facilities shall provide indoor and/or outdoor play spaces and a variety of play materials;
- (b) All play spaces shall be free of harmful objects, harmful plants and be void of discarded materials, equipment or debris;
- (c) Such outdoor play spaces shall be—
 - (i) accessible to all enrolled children, including those living with special needs and disabilities;
 - (ii) outdoor play spaces shall be enclosed by a fence that is at least 1.2 m (4 ft.) high from the ground, free from sharp and protruding edges;
 - (iii) any outdoor play space above ground shall be enclosed by a well secured fence and shall be at least 2m high (8 ft.);
 - (iv) have been determined by the Quality Assurance and Standards Team to be safe and appropriate;
 - (v) Supervised in accordance with the staff-to-children ratios and group sizes;
 - (vi) Where outdoor play space is not adjacent to the Facility, it shall be within reasonable walking distance;
 - (vii) the minimum indoor play space shall be nine square metres and shall serve a maximum of 5 children at a time.
- (d) Any Childcare Facilities taking care of children under the age of two (2) years shall—
 - (i) ensure this age group use the outdoor play space at a time separate from all other age groups; or
 - (ii) designate an area within the outdoor play space to meet the needs of this age group.
- (e) Children shall be supervised at all times while outdoors;
- (f) The Facility and grounds shall be maintained in a clean and safe condition;
- (g) Outdoor play area shall be free from apparent hazardous conditions;
- (h) Outdoor play equipment, which is not designed to be portable, shall be securely anchored so that it cannot be tipped over;
- (i) The outdoor play area shall be free of any stacked wood, construction materials, lumber, or firewood and other obstacles;

- (j) Stairs, steps or ramps used by the children shall have handrails that are within the child's reach.
4. Child Protection in Facilities
- (a) Child protection shall be the responsibility of everyone—
 - (i) Facilities shall ensure accessibility of services and participation by all children;
 - (ii) Facilities shall commit every adult individual within the facility to take responsibility to protect the rights of the child regardless of the individual's position within the facility;
 - (iii) The Facility shall designate one staff member as a Child Protection Lead with the responsibility of safeguarding and promoting the welfare of children.
 - (b) A Facility shall maintain the following for the protection of the child—
 - (i) a list of contacts and identification of parents/guardians;
 - (ii) a list of contacts of the nearest hospitals/ health facilities;
 - (iii) a list of contacts of police units and fire services;
 - (iv) a first aid kit and caregivers trained on basic first aid;
 - (v) Firefighting equipment with the requisite certificates;
 - (vi) photographs, names and identification documents of persons who may collect the children in the absence of parents/guardians;
 - (vii) conspicuously display children's help lines and toll-free numbers at all times.
 - (c) Every Childcare Facility shall enforce a Child Protection Policy to be signed by all staff which shall guarantee that —
 - (i) Children shall not be left unattended at the Childcare Facility at any given time;
 - (ii) Children shall not be subjected to physical, emotional and/or psychological abuse;
 - (d) Childcare Facility shall have a child protection procedure with clear mechanisms for prevention of all abuses and clear response mechanisms that address cases of child abuse;
 - (e) All suspected or known abuse shall be reported to the appropriate authorities for investigations and action;
 - (f) Children shall not be subjected to corporal punishment, or abuse in the Facility;
 - (g) The Facility shall have emergency contacts readily available to pertinent staff and displayed prominently;
 - (h) The Facility shall record incidents and accidents that may occur in the incident record sheet and detail the appropriate action taken;
 - (i) The Facility shall ensure that all the equipment and furniture are child proofed;
 - (j) Parents shall adhere to the scheduled arrival and departure time. If the parent is not able to collect the child on time, the Facility shall be informed promptly. In

the event that the parents are not able to pick their child, the facility shall make arrangements for the child's safety at parents' expense and documented in the incident record;

- (k) The Facility shall be required to close permanently or temporarily when there is a threat of outbreak of an epidemic through the advice of an approved health practitioner;
- (l) A child who contracts or is showing signs of a communicable disease shall stay at home and seek medical care;
- (m) A staff member who contracts or is showing signs of having contracted a communicable disease shall stay at home and maintain social distance while seeking appropriate medical care;
- (n) A child who contracts or is suspected to have contracted a contagious disease shall be expected to stay at home and seek medical care before resumption to the facility. Parents of the other children shall be advised to take their children for screening for similar conditions;
- (o) All staff shall undergo medical check-up for contagious diseases after every 6 months and a clearance certificate availed to the facility as prescribed in the Public Health Act;
- (p) Childcare Facility shall encourage feedback from parents and /or guardians on services provided;
- (q) Smoking, drinking of alcohol or taking of any other illicit drug at all Facilities is strictly prohibited.

"Everyone" in this section means, the proprietor/facility manager, staff, volunteer, stakeholder

5. Daily Program

- (a) Facilities shall draw, display and provide a daily routine showing the operating procedures and activities at the Childcare Facility. Copies of the program shall be provided to the parents/guardians of the child.
- (b) The program should include, but will not be limited to—
 - (i) child drop off and pick up time;
 - (ii) indoor and outdoor activities;
 - (iii) meals and meal time;
 - (iv) activity transitions.
- (c) The Facility shall ensure provision of age-appropriate daily play program and activities/materials that supports early childhood development.

6. Parental Involvement in Facilities

- (a) The essence of partnership is respectful listening and sharing of information between parents and Facilities about children's development at home, and at the facility;
- (b) Facilities may offer professional child rearing advice and peer support to parents, referrals to more specialised services if necessary;

- (c) To foster parental involvement, the facility shall—
- (i) Provide for parents' participation in setting goals for and evaluating the progress of their children;
 - (ii) Assist parents with their responsibility of educating their children;
 - (iii) Assist parents in working with Childcare programs, communicating with caregivers and other Facility personnel, and participating in decisions relating to the development of their children;
 - (iv) Assist caregivers with their responsibility of working with the child's parents to promote Parent-Facility partnerships; and
 - (v) Work with parents in the identification of special needs and other developmental challenges;
 - (vi) Ensure parents are responsible for provision of the basic needs both at home and in the Childcare Facility;
 - (vii) Take other actions, when appropriate, to support the active involvement of parents with Facility programs, staff and with the transition to school-related initiatives.
7. Pesticides use at Childcare Facilities—
- (a) A facility shall ensure that a certified pesticide applicator may apply pesticide within the facility;
 - (b) A person other than a certified pesticide applicator may make an emergency application to eliminate an immediate threat to children's health, including, but not limited to, for the elimination of vermin and insects;
 - (c) The licensee or a designee of the licensee may obtain the services of a certified pesticide applicator, in the event of such emergency application;
 - (d) The facility shall take all necessary care to ensure that the application shall not be of a lawn care pesticide or a restricted use pesticide on the grounds or precincts;
 - (e) The licensee or designee of a licensee shall take every necessary measure to ensure that children under the care of the facility do not enter an area where a pesticide has been applied until it is safe to do so according to the provisions on the pesticide label.
8. Children with special needs
- (a) Children with special needs shall include but not limited to—
- (i) Hearing impairment (from hard of hearing to deafness);
 - (ii) Visual impairment (from low vision to blindness);
 - (iii) Deaf-blindness;
 - (iv) Physical impairment;
 - (v) Intellectual and developmental disabilities;
 - (vi) Specific learning disabilities (dyslexia, dyscalculia, dysgraphia);
 - (vii) Cerebral palsy;

- (viii) Speech and language difficulties;
 - (ix) Multiple disabilities;
 - (x) Autism;
 - (xi) Albinism.
- (b) The facility shall in collaboration with relevant national and county agencies facilitate assessments of all children for special needs;
 - (c) The facility shall observe, respect, promote and grant access to equal opportunities to all children without any form of discrimination;
 - (d) The Facility may discuss and recommend to the parents' suitability of opportunities for children with special needs and disabilities that exist;
 - (e) Facilities shall serve each child as an individual capable of developing his/her full potential through inclusion and participation;
 - (f) Every child attending the Facility shall be welcomed as an individual in his/her own right;
 - (g) The staff members shall show respect towards all parents/guardians and children using the facility;
 - (h) The Facility adjustments and all necessary measures shall be taken to ensure that the property is easily accessible to all children;
 - (i) The facility shall have ablutions facilities accessible to everyone;
 - (j) The staff members shall give opportunities to each child, to help them progress towards their developmental goals and to realize their own potential;
 - (k) The children shall be included in all activities offered by the facility and the members of staff shall reduce or remove any barriers that restrict participation in any of the activities.
9. Children with medical conditions that require specialised care
- (a) Childcare facilities shall provide special considerations for children with medical conditions that require specialised care. Such conditions shall remain confidential and be used only for the care and benefit of the child.
10. Staffing Standards at Facilities
- (a) Staff members of the facility shall present valid identification documents and shall be required to undertake medical examination from the county;
 - (b) Food handlers shall be required to acquire a medical examination certificate in accordance with national legislation and shall renew it after every six months;
 - (c) The Facility manager shall maintain records for all persons working at the Facility and make them readily available for verification when requested;
 - (d) The personnel records must contain copies of the documents listed below: -
 - (i) Certificate of good conduct;
 - (ii) Valid medical certificate from public health;
 - (iii) National Identification Card/Passport;

- (iv) Copies of relevant academic/professional certificates.
- (e) The key staff in the Facility shall include, but not limited to—
 - (i) Childcare Facility Manager;
 - (ii) the Caregiver(s); and
 - (iii) support staff.
- (f) The minimum qualifications for Staff shall be—
 - (i) Facility Manager—
 - (a) Five years of experience in managing childcare facility, pre-school or any other relevant care facility;
 - (b) KCSE Certificate;
 - (c) Diploma in Childcare Management/Early Childhood Development and related field;
 - (d) Medical certificate;
 - (e) Basic training in First Aid;
 - (f) Certificate of good conduct.
 - (ii) Caregiver—
 - (a) Three years of experience in caregiving within a childcare facility, pre-school or any other relevant care facility;
 - (b) KCSE Certificate or its equivalent;
 - (c) Certificate in Early Childhood Development, social work, Childcare Giver Certificate or any other related field;
 - (d) Medical certificate;
 - (e) Basic training in First Aid;
 - (f) Certificate of good conduct;
 - (g) Undertake periodic refresher courses on emerging issues;
 - (iii) Support Staff (drivers, cooks, security personnel and cleaners) —
 - (a) KCSE Certificate;
 - (b) Certificate of good conduct;
 - (c) Relevant valid professional certification;
 - (d) Basic training in First Aid;
 - (e) Medical certificate.

SECOND SCHEDULE

FEES AND CHARGES

1. Fees and charges applicable to Childcare Facilities shall be as prescribed in the table below:

<i>Code</i>	<i>Description</i>	<i>Fee Amount (KSh.)</i>
	Application Form	200
	Facility Registration	5,000
	Annual License	2500

2. Facilities shall comply with other relevant fees and charges applicable for operation in the county.

THIRD SCHEDULE

FORMS

CCF1: CHILDCARE FACILITY REGISTRATION APPLICATION FORM

(Issued under Section 6 and 7 of the Act and Regulation 9 under the Childcare Facilities regulation 2023)

Childcare Facility Name

Business Registration Number..... Postal address.....

Mobile contact.....

Email.....

County..... Sub-County.....

Ward..... Nearest landmark.....

GPS Coordinates.....

3. Facility Administration/Board of Management

<i>Name</i>	<i>Role</i>	<i>ID Number</i>	<i>Male</i>	<i>Female</i>

1. Enrollment

AGE	BOYS	GIRLS	TOTAL
Below 1 year			
1-2 years			
2-3years			
3-4 years			
4-5 years			
5-6 years			
6-7 years			
7-8 years			

2. Personnel

<i>Personnel</i>	<i>Qualification</i>	<i>National ID</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>
Facility Manager					
Caregivers					

Cleaners					
Nurses					
Drivers					
Security Officers					
Any other					

3. Infrastructure and Facilities (e.g., land, playground, age-appropriate furniture, buildings, play equipment, toilets, childproof kitchen equipment etc.)

Details	Quantity/Size	Ownership	Condition

4. Programmes and services offered (e.g., feeding, transport, spiritual etc.)

5. Food and Nutrition plan (describe or attach copy of daily plan)

6. Financing (*indicate source(s) of financing the Childcare Facility*)

7. Administration records (*list all administrative records in place at the Childcare facility*)

8. Partnerships (*describe current partnership arrangements for the Childcare facility*)

FOR OFFICIAL USE ONLY

(a) QUALITY ASSURANCE AND STANDARDS OFFICER
COMMENTS & STAMP

RECOMMENDED	NOT RECOMMENDED

NAME:SIGN.....DATE.....

(b) COUNTY FAMILY AND CHILDREN OFFICER

COMMENTS & STAMP

--

RECOMMENDED	NOT RECOMMENDED

Name: Sign Date.....

(c) Director In-Charge of Children

COMMENTS & STAMP

--

RECOMMENDED	NOT RECOMMENDED

Name: Sign Date.....

CCF3: NAIROBI CITY COUNTY CHILD PROTECTION POLICY

(Issued Under Regulation 5 of the Nairobi City County Childcare Facilities Regulations, 2023)

I.....
 (Name of a Proprietor/Facility Manager, Staff, Volunteer, Stakeholder)
 of (Name of the Childcare Facility)
 Commit To Safeguard The Well-Being Of All The Children I Come Into Contact With. I Will, Always, Abide By This Policy On Child Protection In Accordance With Applicable Kenyan And International Laws For The Protection And Enhancement Of The Welfare Of Children. I Am Committed To Promoting These Rights In The Childcare Facility And Beyond By Rigorously Applying The Doctrine Of Prevention Through Good Practice For Children. Keeping Children Safe Is My Responsibility.

In order to keep all children safe at the facility, and ensure consistency of behavior, I commit to —

- (a) respond without delay to any suspicion of child abuse or neglect;
- (b) rescue, support and report cases related to injuries or threats to injure a child. such injury may involve: slapping, kicking, punching, shaking, burning, shoving, grabbing, pinching, biting, strangling or any other form of behavior causing physical injury;
- (c) never physically assault or abuse children or advocate for such abuse among children and others or engage in any acts of violence in front of children;
- (d) never develop any physical/sexual relationships with children or act in any way to suggest so;
- (e) never discriminate children based on their gender, race, religion, physical condition, among others;
- (f) never use language that is inappropriate in front of children;
- (g) never use or promote the use of any form of drugs in front of children;
- (h) refer or personally take a child to hospital in circumstances of illness at the childcare facility;
- (i) promote the right of a child to be listened to, protected and supported;
- (j) promote the right of a child and their families to have their concerns acted on;
- (k) ensure concerns are dealt with promptly and in a respectful manner;
- (l) to immediately bring to the attention of the designated child protection team lead of any received disclosure of child abuse or concerns about a child;
- (m) to, under no circumstances, leave a child in a situation that exposes him/her to harm or of risk to harm pending intervention;
- (n) follow up to ensure closure or a report to the relevant authorities when the matter is of a criminal nature;
- (o) not to film or collect children's materials in a manner not conforming with the laws of kenya related to photography and video coverage involving children;
- (p) not to give or show to a child anything which could be construed as pornographic;

- (q) to disclose any information about alleged or actual child abuse only where it is in best interests of the child.

I agree to be held responsible and accountable to implement this policy in all spheres of my work and life

Name.....Sign..... Date.....

CCF4: CHILDCARE FACILITY ADMISSION FORM

(Issued Under Regulation 6 of the Nairobi City County Childcare Facilities Regulations, 2023)

Childcare Facility: _____

Child's Name: _____ Sex: _____

Name Child Goes By: _____ Age of Child: _____ DoB: _____

Birth Certificate/Notification No. _____

Daycare Attended: _____

3-6months	6-12months	1-2 Years	2-3 Years	3-4years	4-5years	5-10years

Tick age as appropriate

FAMILY

Mother's Name: _____ ID No. _____ Cell No. _____

Father's Name: _____ ID No. _____ Cell No. _____

Guardian's Name _____ ID No. _____ Cell No. _____

SIBLINGS IN THIS CHILDCARE FACILITY

	NAME	AGE
1		
2		
3		
4		
5		

CHILD'S HOME ADDRESS

County: _____ Sub-County: _____

Ward: _____ Area: _____

Landmark _____

Disability/Special Needs (*Optional*)

Visible Disability (IES): _____

Assessed Disability (Ies) _____

Any Ongoing Interventions: _____

Any Medical Condition (Optional) _____

Emergency Contact

Name: _____ Contact: _____

Relationship With Child: _____

Father's's Occupation: _____

Work Telephone Numbers: _____

Mother's Occupation: _____

Work Telephone Numbers: _____

Parental Data Protection Consent

I, the undersigned parent or legal guardian of the above-named child, hereby consent to the collection, use, and storage of my child's and my personal data by this Childcare Facility strictly for the purposes of childcare, safety, education, and related administrative functions. I understand that such data may include personal identifiers, medical information, emergency contacts, and any other information necessary for the care and protection of my child.

The facility shall keep all personal information confidential, secure, and shall not disclose it to third parties except where required by law or in emergency situations to protect the health or safety of the child. I reserve the right to request access to, correction of, or deletion of my child's personal data as provided under the Data Protection Act, 2019.

I further grant or deny consent (please tick) for the facility to take and use photographs or video recordings of my child for internal reporting, documentation of activities, or facility communications:

I consent I do not consent

Name: _____ Signature: _____

Date: _____

FOR OFFICIAL USE

CHILD ADMISSION NO:

OFFICIAL STAMP

CCF5: PARENTAL CONSENT FORM

(As prescribed in Regulation 6 of the Nairobi City County Childcare Facilities Regulations 2023)

I, _____, am the legal parent of _____.
I hereby acknowledge that I have admitted my child/children to _____ Childcare Facility.

If, due to such circumstances as injury or sudden illness, medical treatment is necessary, I authorize the childcare service provider to take whatever emergency measures s/he deems necessary for the protection of this child while in her/his care.

I understand that this may involve calling a physician, interpreting, and carrying out his or her instructions, and transporting my child to a hospital, including the possible use of an ambulance, including emergency transportation required because of fire or other environmental emergencies.

I understand that this may be done prior to contacting me, and that any expense incurred for such treatment, including ambulance fees, is my responsibility.

Any question regarding this consent can be addressed to me.

Consent for Data Collection and Use

In addition to authorizing emergency medical care, I consent to the collection, processing, and retention of my personal data and that of my child by the Childcare Facility for purposes of admission, daily care, health and safety management, and compliance with legal obligations.

I understand that this includes sensitive information such as health data, disability-related information, and emergency contacts. Such information shall only be processed by authorized facility staff and disclosed to relevant authorities or medical professionals when necessary, in the best interests of the child.

I acknowledge my rights under the Data Protection Act, 2019, including the right to access, correct, or withdraw consent to the processing of personal data, subject to applicable laws.

Name: _____

Signature: _____

Mobile number: _____

Physical Address: _____

Date: _____

OFFICIAL STAMP

CCF6: CHILDCARE FACILITY DAILY PROGRAMME/ROUTINE

(As prescribed in Regulation 5 of the Nairobi City County Childcare Facilities Regulations 2023)

Arrival

It's so nice to see everyone this morning! As children arrive, they are welcomed by smiling caregivers. They can eat breakfast/lunch/snack and join their friends to play or wait for their friends to arrive.

Morning/Afternoon snack

If your toddler didn't eat breakfast/lunch with us, it's time to have a quick healthy snack before we begin our day.

Group time

The start to our day is when we come together as a group to welcome each other and talk briefly about the day's planned events. We will also do things like read a book out loud or sing a song!

- Activity centers
- Activity centers are an important part of our time together. This is where children can play and explore on their own or work together on a theme-related activity led by a caregiver.

Outdoor play

It's time to go outside! Mostly little ones play on their own, using their imaginations. Outdoor time can also be part of our daily themed activity.

Lunch

Time to wash our hands, help set tables, and get ready to eat lunch!

Afternoon Rest time

Sssh ... it's quiet time. Most children will nap, but if they wake up (or if they never quite get to sleep), they can select different quiet activities, such as looking at books.

Afternoon snack

They'll have a nutritious snack like apples and seed butter.

Activity centers

Kids come back to activity centers to play and explore on their own or do a theme-related activity led by a caregiver.

Outdoor play

It's time to go outside again! They might play on their own or participate in a group activity.

Activity centers and pick-up

It's time for pick-up! After a busy day together, children are given the space and time to explore and play in the activity centers on their own.

CCF7: MEDICAL COMPLIANCE FORM

PLEASE NOTE: THE CHILD'S IMMUNIZATION RECORD SHOULD ACCOMPANY THE ADMISSION FORM.

NAME OF THE CHILD _____

DATE OF BIRTH _____

AGE _____

WEIGHT _____

HEIGHT _____

1. Please check any childhood diseases that the child has had and give dates:

Measles _____

Chicken Pox _____

Diphtheria _____

Measles _____

Mumps _____

Rheumatic Fever _____

Eczema _____

Normal cold _____

Other: Please elaborate

Please check the following regarding the child

<input type="checkbox"/> Hearing Checked	<input type="checkbox"/> Respiratory functioning checked
<input type="checkbox"/> Eyesight Tested	<input type="checkbox"/> Other _____

2. List any Surgeries, accidents, traumatic experiences that the child has had:

3. Is the child under any medication? Yes () No () Explain if Yes

Does the child have any allergies: Yes () No ()

Describe if Yes:

Does the child have any individual considerations where he/she may require extra support? (i.e. speech, physical development, cognitive development, etc.)

Yeso Noo'

If yes, please describe:

4. Doctor's / Hospital contact _____
5. Please describe any observable bruises or burns on the child that may relate to physical abuse.
- _____

Consent for Processing of Health Data

I, the parent or legal guardian of the above-named child, consent to the collection and processing of my child's medical and health-related information by this Childcare Facility solely for the purpose of ensuring appropriate medical care, safety, and well-being while under the facility's care.

I acknowledge that health information is classified as sensitive personal data and shall be kept strictly confidential, stored securely, and shared only with authorized healthcare providers or relevant authorities where necessary for the child's protection or as required by law.

I further acknowledge that I retain the right to request access to or correction of this data, and to withdraw consent where processing is no longer necessary, in accordance with the Data Protection Act, 2019.

Name of Parent/Guardian: _____

Signature: _____

Date: _____

Caregiver _____

Date _____

Signature _____

CCF8: EXIT REPORT

Name of Childcare Facility Date.....

	Child's Name	Date of Birth	Date of Admission	Date of Exit	Reason for Exit
1					
2					
3					
4					
5					
6					
7					
8					

Remarks

Facility manager's name _____ Signature _____

Caregiver's name _____ Signature _____

Parent/Guardian _____ Signature _____

Caregiver's name _____ Signature _____

Parent/Guardian _____ Signature _____



CCF9: NOTICE OF DEREGISTRATION FORM

Telegraphic Address
 Email: info@nairobi.go.ke
 web: www.nairobi.go.ke

NAIROBI CITY COUNTY

City Hall Annex
 P. O. Box 30298-00100,
 Nairobi,
 KENYA.

EDUCATION, SOCIAL SERVICES AND GENDER

CHILD CARE FACILITY NOTIFICATION OF DERIGISTRATION FORM

(Issued under Regulations 13 of the Childcare Facilities Regulations 2021)

DATE.....

FACILITY NAME	COUNTY:	LANDMARK:
PUBLIC OR PRIVATE	SUBCOUNTY:	
CONTACT PERSON	WARD:	
PHONE NO	LOCALITY:	

You are hereby notified of intent to deregister your childcare facility due to the following reason(s):

.....

Right of Appeal

Note that you have a right of appeal within fourteen days of receipt of this notification.

Signed by.....

County Chief Officer.....

CCF 10: INCIDENT REPORT FORM

CHILDCARE FACILITY INCIDENT REPORT SHEET

(Issued under Regulation 8 of the Childcare Facilities Regulations, 2023)

FACILITY NAME	COUNTY:	LANDMARK:
PUBLIC OR PRIVATE	SUBCOUNTY:	
CONTACT PERSON	WARD:	
PHONE NO	LOCALITY:	

TYPE OF REPORT

<i>Accident:</i>	<i>Illness:</i>	<i>Death:</i>	<i>Fire:</i>	<i>Others(Specify)</i>
------------------	-----------------	---------------	--------------	------------------------

CHILD (REN) IN CARE INVOLVED

<i>Name</i>	<i>Dob</i>	<i>Age</i>	<i>Living With Disability</i>	<i>Gender</i>	<i>Parent/Guardian</i>	<i>Home Phone</i>

CAREGIVERS INVOLVED

<i>Name</i>	<i>Gender</i>	<i>Position</i>	<i>Id.No.</i>	<i>Responsibility</i>

INCIDENT DETAILS

<i>Incident Date</i>	<i>Time</i>	<i>Location</i>	<i>Description (Be Specific And Precise)</i>

PERSONS/NOTIFIED (law enforcement, parent, guardian)

<i>Person (S)Notified</i>	<i>Notification Date</i>	<i>Time</i>

PERSON (S) GIVING REPORTING

<i>Name:</i>	<i>ID. No.</i>	<i>Signature</i>

PERSON (S) RECEIVING REPORT

<i>Name:</i>	<i>Title:</i>	<i>Signature</i>



LICENSE / REGISTRATION CERTIFICATE

(Issued under Section 9 of the Nairobi City County Childcare Facilities Act 2017)

I hereby certify that

..... of P.O. Box
 and located at is
 registered as a Childcare Facility with Reg. No. issued to

to offer childcare services pursuant to Section 7 of the Nairobi City County Childcare
 Facilities Act, 2017.

On..... day of.....20.....

Signature

County Chief Officer

Education, Social Services, Gender, Youth and Sports

Made on the 22nd April, 2026.

BRIAN MULAMA,
*County Executive Committee Member Responsible for Education,
 Youth Affairs, Culture, Children and Social Services.*

