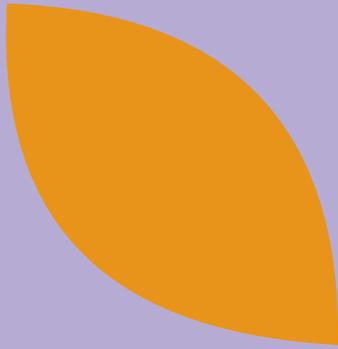




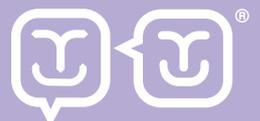
care
inspectorate



Registering
and running a
childminding
service: what you
need to know



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HAPPY TO TRANSLATE

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Introduction

This booklet will help you if you are:

- applying to register a childminding service
- running a registered childminding service.

By law, childminding services in Scotland must be registered with the Care Inspectorate. You cannot run a childminding service if you are not registered.

We regulate childminding services according to the Public Services Reform (Scotland) Act 2010. We assess the quality of services to make sure they meet the National Care Standards which are published by the Scottish Government.

Caring for other people's children is a big responsibility and there are various requirements that your childminding service must meet before you can begin.

This booklet tells you what these requirements are, so you can make sure you meet them before we register your service and for the whole time you are running your service.



Section 1: What is childminding?

Childminding is the provision of childcare in a domestic setting.

Childminding, like many other care services, is regulated by the Care Inspectorate which has powers set out in an Act of the Scottish Parliament: The Public Services Reform (Scotland) Act 2010.

In the Act, childminding is defined as 'looking after one or more children on domestic premises for reward for a period of more than two hours in any day.'

This does not include:

- caring for children closely related to you
- fostering children
- caring for children in their own home.

But it may include:

- caring for children over weekends and holiday periods who attend boarding school.

If you need more advice on what is defined as childminding please contact us.

Various ways in which childminding can be provided

- An individual may operate a childminding service alone. In this situation the individual is solely responsible for the care of the children. The individual is the provider and the manager of the childminding service and is self employed.
- An individual childminder can employ an assistant. Childminders are responsible for recruiting and managing the assistant.
- Childminding services that are separately registered may work together in the home of one of the registered childminding providers. In this situation 'individual applicants' would undertake separate childminding registrations and, once registered, would be inspected separately by the Care Inspectorate and require to pay separate yearly continuation fees. The two registered services would have their own group of minded children with separate contracts with their children's parents or carers. There would be separate policies and procedures. Separate insurance and banking arrangements would also be necessary.

All applicants that are another type of organisation, for example a partnership or a company, may operate a childminding service.

- Two or more people working together are a partnership. The partnership needs to decide who the manager(s) will be.

Section 2: Before you apply to register

If you are thinking about registering a childminding service, you can contact us for general advice.

Find out about the National Care Standards

You should read the National Care Standards for Early Education and Childcare up to the age of 16. We inspect childminding services to make sure they meet these standards, which are set by the Scottish Government. You can download National Care Standards from www.nationalcarestandards.org

Find out about the legislation that governs care services

Childminders must comply with the law. Visit www.legislation.gov.uk to read the Social Care and Social Work Improvement Scotland (Requirements for Care Service) Regulations 2011, so you are clear about what you must do. It is your responsibility to make sure you understand the legislation and comply with it.

Read our information

Read this booklet carefully, as well as our other booklets 'Applying to register a care service: guidance for applicants', 'Childminders: what to expect when we inspect' and 'Records childminding services must keep and guidance on notification reporting'. They're available on our website or you can ask us for a paper copy.

Read the SSSC Codes of Conduct

Providers of registered childminding services don't have to be registered with the SSSC (Scottish Social Services Council). However, it is good practice to follow their codes of conduct and we do consider these codes in the course of our regulation work. You can find the codes of conduct on the SSSC website at www.sssc.uk.com

Organisations that support childminding

You can get helpful advice and information from the Scottish Childminding Association (SCMA). Visit their website www.childminding.org or call them on 01786 445377. The SCMA provides pre-registration induction for childminding applicants.

You can also get helpful advice and information from Childcare Information Services (ChIS). Visit www.scottishchildcare.gov.uk/ to find out more.

Some local authorities also provide free support and training to childminding applicants and some employ childminding development officers. You may wish to contact your local authority to find out if this is available in your area.

Get some training

We would encourage you to take advantage of local training and support opportunities. The SCMA, ChIS and your local authority may have details of what's available in your area.

You can get financial help with the cost of training by applying for a Skills Development Scotland Individual Learning Account with ILA Scotland. You can visit their website at www.ilascotland.org.uk for more details.

Find out about keeping your accounts and tax

If you run a registered childminding service, you are responsible for running your own small business. You must keep some form of accounts and tell HM Revenue and Customs when you begin. You can find out more by visiting www.hmrc.gov.uk or from your local tax office.



Section 3: Applying to register

When you apply to register you will have to complete an application to register form and pay the fee before we can begin the registration process. The whole application and registration process may seem daunting to you, but we can help you understand what you need to do. As well as this booklet, our booklet 'Applying to register a care service: guidance for applicants' gives you useful information about the process. You can also contact us for advice.

How much will applying cost?

You must pay us a fee when you apply. This is non-returnable and we won't be able to process your application until we receive your payment. For more information, please read the fees information on our website.

There is an additional fee for the cost of a Protection of Vulnerable Groups (PVG) Scheme record check for you and Disclosure Scotland criminal records checks or their equivalents for all those aged over 16, including your adult children, who live with you. Visit www.disclosurescotland.co.uk to find out more about these fees.

All registered care services must also pay an annual continuation fee. For more information, please read the fees information on our website.

You must also pay for any GP check fees that are incurred during the application process, which are payable directly to your GP at their request.

Depending on your individual circumstances there may be additional costs, for example planning permission.

Why we have an application form

We have a legal duty to ask for specific information from applicants, for example:

- applicant's details
- details of training and experience
- details about how the childminding service will be provided
- information about the domestic premises/home
- statements and disclosures relating to fitness and suitability.

You can apply online at www.careinspectorate.com or you can complete paper forms.

Completing the application form

Which parts of the application form you should complete:

As we explained in Section 1, there are various ways to provide a childminding service. You will need to complete certain parts of the application form depending on how you will be providing the childminding service.

An individual operating a childminding service alone

In this situation the individual is solely responsible for the care of the children. The individual is the provider and the manager of the childminding service and is self employed. Someone who intends to provide a childminding service alone is an 'individual applicant' and needs to complete Parts 1 and 4 of the registration application form.

There can be childminding services which are separately registered but work in the home of one of the registered childminding providers.

In this situation 'individual applicants' would make separate applications to register their childminding service and, once registered, would receive separate inspection visits from the Care Inspectorate and pay separate yearly continuation fees. The separately registered services would have separate contracts with the children's parents or carers. There would be separate policies and procedures. Separate insurance and banking arrangements would also be necessary.

A partnership where people operate a childminding service together.

Two or more people working together (a partnership) is an 'applicant who is not an individual'. The person completing the application form on behalf of the partnership needs to complete Parts 2, 3 and 4 of the registration application form. The partnership needs to decide who the manager(s) will be.

Other organisations can also apply to register childminding services. We can give you more information about this on request.

How many children you can look after

The National Care Standards say that for childminding:

- there should be no more than six children under the age of 12.

Of those six children:

- no more than three have not yet started primary school

and of those six children:

- no more than one is under the age of 12 months.

These numbers include the childminder's own children. This means all children of the childminder's family whether or not they are present. For example if a child of the family is at nursery or school or with a relative they are still counted in the numbers.

We consider the appropriate ages and numbers of children that an applicant may care for at any one time. We will take account of the National Care Standards along with the applicant's own circumstances. We also look at other factors, for example:

- the specific features of the home where the proposed service will operate
- the number and ages of the applicant's own children (they will be included in registered numbers)
- additional needs of the applicant's own children or those to be cared for.

You should be aware that in some local authority areas you might need to apply for planning permission to care for more than six children, or to have more than one adult working in the childminding service. Where you need planning permission you will need to give us evidence of this before we grant you registration.

Overnight care

If you want to provide overnight care you must discuss this with us during the registration process. If we agree you can provide overnight care, the conditions on your registration certificate will say this.

There are additional, more stringent fire safety requirements for this and your premises risk assessment will have to be based on these requirements.

We will have to carry out a premises risk assessment with you that includes sleeping arrangements and access to other household members, friends or extended family. You will have to amend your child protection statement and emergency contact procedures to include that you provide overnight care.

The documents you have to give us

In the application form we ask you for various documents. The rest of this section tells you about the documents you will need to give us.

- **Statement of aims and objectives**

We ask you for a written statement of your service's aims and objectives which sets out:

- what the childminding service will offer and how
- a programme of activities, opportunities and experiences for the children
- how you will cater for the individual needs of children in your care
- what you will do to develop positive relationships with parents and carers which allow children to move easily and happily from one caring situation to another, particularly between the home and the childminder
- how you will consult with parents and children to continually improve your service.

- **A recruitment policy**

You will need to give us this if you intend to have an assistant. The policy would need to describe how you would recruit an assistant and make sure that they were safe and have the skills to work with children. You will need to include a whistle blowing policy.

- **Programme for staff development, induction and training**

You will need to give us this if you intend to have an assistant. The programme would need to show how you will help your assistant to:

- understand how the service operates
- develop their skills
- attend training relevant to childminding.

- **Plans of the premises**

We will need these only if you are doing any building work that affects the areas you will use for childminding. If you need planning permission, a building warrant and a building completion certificate for the work you are doing, we will need copies of these too.

We will need these only if you are doing any building work that affects the areas you will use for childminding. If you need planning permission, a building warrant and a building completion certificate for the work you are doing, we will need copies of these too.

- **Fire safety risk assessment**

Childminding applicants are required to carry out a fire safety risk assessment of their homes and prepare an emergency escape plan. We include a copy of 'Fire Precautions in Domestic Childminding Premises – A Guide for Childminders' in your application pack. If you apply online we will send you this document after we receive your application.

- **Providing a food service**

To provide food to the children you care for you will need to register with your local authority's environmental health department as a food business operator. You can find details about how to do this on the Food Standards Agency website www.food.gov.uk We will give you information about this during the registration process.

- **The home to be used**

You need to make sure that there is nothing to stop you from carrying on a childminding business in the home you are proposing to use for the service. You must check and comply with planning permission, landlord agreements, lease terms, title deeds restrictions and so on. We are not liable for any of these factors. If you are in any way unsure you should get independent legal or other professional advice. It is up to you to pay any fees you may get charged for this. You will need to show us confirmation from your landlord of their permission to run a childminding service from your home if it is rented.



We also require childminding applicants to assess all other safety aspects of their homes. This is called a 'premises risk assessment'. If we assess your home as unsuitable this may affect our decision to grant registration. Any work to the home or purchase of safety equipment is at your own expense and we advise you to wait until you are confident that the registration can be granted.

We ask you to declare that the home where you will provide the childminding service is suitable for that purpose. The home must be of sound construction, kept in a good state of repair and have adequate and suitable ventilation, heating and lighting.

Issues to consider when deciding whether the home is suitable include:

- the amount of space for the number of children and adults
- safety and fire prevention
- the facilities and equipment available
- access to a garden or play area.

We will visit the home to make sure that it is suitable and safe, or discuss your plans to make it suitable and safe, before we complete your registration.

- **Vehicles to be used**

If you intend to use a vehicle for transporting children, you should read the Good Egg Guide to In-Car Child Safety, published by Road Safety Scotland and available from www.roadsafetyscotland.org.uk

The checks we carry out

- **Checking that people are safe to be around children**

We will assess people applying to register a childminding service to make sure that they are fit and suitable people to provide a care service to children.

We can't register applicants if they are not fit to provide a childminding service. Once registered, you must not allow any person who is not fit to be around children to live at the home used for the service.

- **Checking you are of good character and integrity**

We have to make sure there is nothing in your background which prevents you from caring for children. We ask for the following.

- Two references: referees must not be relatives and where you have been employed by an employer for longer than three months in the last five years, one of your references must be from them. Usually we expect a reference from your most recent employer (if they have employed you for longer than three months).
- Criminal records checks: PVG Scheme record checks or their equivalents. This will contain relevant non-conviction information that is not in the public domain as well as spent and unspent convictions.
- Proof of identity: birth certificate, change of name, photographic identification.
- Declaration that the information you have given us is accurate.

We may also undertake other checks such as social work background checks, but if this is the case we will ask your permission to do this.

Where the applicant is not an individual (for example the applicant is a partnership) the above checks will be completed for all the partners in the partnership. If there are more than three partners then the process described in Part 2 of the application form will apply.

- **Checking you have relevant experience, knowledge and skills**

During the registration process you must show us that you are competent and have the relevant experience, knowledge and skills to provide a childminding service. We will assess your understanding, values, motivation and commitment and signpost you to any training opportunities in your local area.

You can get financial help with the cost of training by applying for a Skills Development Scotland Individual Learning Account with ILA Scotland. You can visit their website at www.ilascotland.org.uk for more details.

- **Checking you have no previous cancellation or refusal of registration**

You must tell us if you have operated a childminding or other care service which has been subject to enforcement action by us or any previous authority. This would include for example, cancellation of registration as a result of enforcement. You must also tell us if you have had any previous application to register a care service refused. We would have to take this history into account when considering the application.

You should be aware that it is an offence to knowingly give wrong or misleading information in an application for registration or variation.

- **Checking other people who live in the home**

We ask you to give the names of any people who will be living in the home on a regular basis, but not using the service. This is so that we can check the background of any other adults to consider if they are suitable to be around minded children.

We carry out a range of checks including:

- criminal records checks (PVG Scheme checks or their equivalents).
- the declarations we ask you to make in the application form.

The criminal records checks on adults in the household will identify any convictions and any other relevant concerns. You will have to pay the Disclosure Scotland fee for these checks.

If we decide that any person being checked is an unsuitable person, we will refuse the application. So, it's very important to talk with partners and others in the household before making an application.

Once registered, the provider of the childminding service must not permit any person, who is not suitable to be around children, to live in the home that is used to provide the service.

Staffing: if you want to have childminding assistants

If you would like an assistant (paid or voluntary) to help you provide a childminding service, you must discuss and agree it with us first. Any assistant will be named on your certificate of registration.

You will have to give us a recruitment and selection policy and procedure and a whistle blowing policy. You will also have to tell us your plans for staff development, induction and training. You will be responsible for ensuring that the assistants are suitable people. We will carry out PVG Scheme record checks on them for you but you will have to pay the fees for the checks.

We regard childminding assistants as employees and as such you will be responsible for making sure they have the suitable skills and knowledge in keeping with the National Care Standards. You will also need to have employers liability insurance whether your assistant is paid or not.

You should be aware that in some local authority areas, when you employ an assistant, planning permission might be needed for you to employ people to work in your home whether you pay them or not. If you require planning permission you will need to get this before we approve your assistant.

If you employ an assistant this will not automatically increase the number of children you can care for above the numbers stated in Annex A of the National Care Standards: early education and childcare up to the age of 16.

Your policies and procedures and statements about how you will operate the service

In Part 4 of the application form we ask you to tell us about how you will operate the service once it is registered. In it we ask you to give us written policies, procedures or statements about each of the points listed. These will become your policies, procedures and statements that support your childminding service once it is operating. We expect you to share these with people using your service.

Part 4 also:

- asks you how you will evaluate your service and involve people using your service in that process
- tells you that we assess the quality of your service against the quality themes.

We'll discuss all of this with you during the registration process, so you can be clear about what we expect, but remember, if you have difficulty with this you can contact us for advice.

Some of the things we want you to cover in Part 4 of the application form

Below are some of the subjects you will be covering in the policies, procedures and statements that we ask for in Part 4.

- **Child protection**

We will ask you to demonstrate that you know:

- how children's safety will be ensured, for example risk assessments, supervision and so on
- how to record and where and how to proceed with any child protection concerns you may have.

It is essential that applicants are aware that providers of childminding services have a duty to protect the minded children. Every child has the right to expect protection from abuse and harm. Providers of registered childminding services need to know what to look for and what to do if they are worried about a child.

We will assess your understanding of what to do if you have concerns about the protection of a child and you will be asked to give parents a written statement about this.

- **Complaints**

You will have to produce information about your complaints process detailing:

- how complaints or concerns will be dealt with
- how you record complaints, the action taken and the outcomes
- the address and telephone number of the Care Inspectorate (as parents and children can complain directly to the Care Inspectorate).

- **Emergency procedures**

All providers of childminding services must have a procedure detailing what would happen if there is a fire or other type of emergency. Plans must ensure the safe supervision of minded children in any emergency situation.

- **Accidents and incidents**

All providers of childminding services must keep records of any accidents. They must also keep records of any incidents which have had an effect on the health or welfare of the children being cared for. Please see 'Records childminding services must keep and guidance on notification reporting', available on our website, for details.

- **Records**

Well organised, up-to-date record keeping is an important part of childminding. You will be asked to show how you will keep records. Please see 'Records childminding services must keep and guidance on notification reporting', available on our website, for details.

Record keeping should be kept manageable so that it does not take too much time away from the care of the children.

- **Confidentiality**

Providers of registered childminding services must remain aware of the need for confidentiality of information about children and/or their families.

- **Accounts**

By law, self-employed people must keep some form of accounts. Properly recorded financial transactions and written agreements with parents will help everyone to be clear about the terms of the service and help to avoid disputes.

- **Whistleblowing**

If a childminding service has an assistant, or works alongside another childminding service, they need to give the assistant a written statement that explains how they can contact the Care Inspectorate if they have concerns about the quality of care provided to children.

- **Personal plans**

You must keep plans for the children you look after. This is so you can help parents keep track of how their child is developing when the child is with you. It also helps the parent and the child to contribute to the plan. You can develop your own plan to meet the requirements of the regulations. Some childminding services use a format "All about me". This type of format, reviewed regularly, would also be considered a personal plan.

The Scottish Childminding Association (SCMA) has produced a set of templates for use as a child's personal plan, developed alongside the Care Inspectorate. For more information on these templates, call the SCMA on 01786 445377.

Some local authorities employ childminding development staff who you can contact for help with developing your plans.

You can find out more about how to organise your plans so that they fit into the national system that the Scottish Government is developing for recording information about children. This is described in the Scottish Government publication "Getting it right for every child" and uses eight indicators of well being. These are:

- Safe
- Healthy
- Achieving
- Nurtured
- Active
- Respected
- Responsible
- Included

or **SHANARRI** for short. One way of organising your plans would be to use these eight indicators and record the progress of the children you look after under them.

Section 4: Home visits, our decision and the registration certificate

Home visits

At some point during the process we will arrange to visit you at the home your service will operate from. We visit you to discuss how you will meet the needs of the children and their families. This will include how you will provide care to the children including how you will plan and arrange activities. We will also make sure that the home is suitable and safe for caring for other people's children.

We will look at:

- availability of toys, activities and equipment
- the space available for looking after children inside and outside
- health and safety issues
- any pets you have and how you keep them
- smoking arrangements
- provision for children with special needs
- insurance arrangements – public liability insurance and employers' liability insurance if applicable.

During this time, we will discuss the proposed conditions of registration.

Our decision

Once your application is completed with all the information we need and we've carried out all the necessary checks we will decide whether to grant or refuse registration.

When we grant registration, it is usual for us to put conditions on registration in agreement with you. This will include things like the number and ages of children you can care for, whether overnight care is provided, the names of assistants and, where necessary, any conditions unique to your childminding service. We will ask you to agree to the conditions.

If you don't agree with the proposed conditions, you can ask us to reconsider. If we then decide to impose them, you can appeal. If that happens we will give you details of how the appeals process works.

If we refuse to grant registration, will write to you with the reasons why and you will have the right of appeal.

The registration certificate

When we register a service we send a letter granting registration which tells you how to download your certificate, detailing the conditions of registration, from the website. This certificate must be displayed in the home while the service is provided so that the children's parents and carers can read it. Please note that it is an offence under the Public Services Reform (Scotland) Act 2010 not to display your certificate while providing the childminding service.

Section 5: Running your registered childminding service

Inspections

Once your service is registered you are legally obliged to make all aspects of your service available for us to inspect.

For more information, read our booklet 'Childminders: what to expect when we inspect' or contact us.

Grading and the quality themes

When we inspect your service we look at three quality themes and award a grade for each one. We have a six point grading scale ranging from six – excellent, to one – unsatisfactory. The quality themes we look at are:

- care and support
- environment
- staffing, management and leadership.

Following inspection we will award grades for each of the quality themes and write an inspection report. This report will be publicly available on our website.

Annual forms

Each year you will have to complete two forms.

- An annual return form. This allows us to confirm we hold up-to-date information about you and your service. This means we can spend more time on inspection with you and the children rather than reading records.
- A self assessment form. We will expect you to assess your service against the three quality themes we set out for childminders.

We will ask you to complete them online.

Changes you have to tell us about

The provider of a childminding service has legal duties and responsibilities. These include informing the Care Inspectorate of certain changes and occurrences, for example:

- when anyone living in the house reaches 16 years of age
- when anyone living in the house moves out or someone moves into the house (for either of these two changes the new adult in the household will need to do a Disclosure Scotland check)
- death of a child whilst being minded
- change of name of the service provider (for example as a result of marriage).

For full details see 'Records a childminding service must keep and guidance on notification reporting', available on our website.

Inactive childminding services

There may be times when you are not caring for any children and your childminding service is not active, but you wish to stay registered. When this happens you must tell us. We will send you a form to complete confirming your non-active status. If you want to continue your registration you will still have to pay the annual continuation fee and comply with the regulations, including submitting the annual return and notifying us of significant changes as listed above. A service can be inactive for a maximum of three years. After this you must either start providing the childminding service again or cancel your registration.

Variations: changing or removing the conditions of your registration

If you wish to change or remove a condition of registration on your certificate you will have to complete a variation application form. You can choose to:

- use our eform system
- download a form from our website
- get one from one of our offices.

If you want to add a new aspect to your service such as providing overnight care, you will also have to apply for a variation. We will consider your application and let you know whether we are going to grant or refuse it.

The annual continuation fee

You have to pay an annual continuation fee to remain on the register as a childminding service. Our financial year runs from 1 April to 31 March and we will invoice you annually.

Stopping childminding and cancelling your registration

If you want to stop childminding you must complete an application to cancel form. You can choose to:

- use our eform system
- download a form from our website
- get one from one of our offices.

You need to tell the people who use your service that you are planning to stop childminding and give us three months notice (unless we agree a shorter period with you).

If we have concerns about your service, we may take action to cancel your registration. If we can't contact you, for example to inspect your service, we may take legal action to cancel the registration.

Complaints

We have a duty to investigate complaints about registered care services. When we uphold a complaint we will either recommend or require the service provider to take action to improve. If we find there needs to be a lot of improvement we might regrade the service. We also have a duty to investigate any complaint made about the Care Inspectorate itself. If you are not happy with how we have dealt with your application, you should contact your local office.

Enforcement

If we find that a service is not good enough or is not complying with the law, we have several options we may consider, depending on the seriousness of the situation.

- Discuss the situation to try to resolve it.
- Regrade the service.
- Impose, add, vary or remove a condition on the registration of the service. The provider may write to us with their views on the change and to appeal against any decision made.
- Serve an improvement notice which gives the provider a specified amount of time to improve the situation. If this is not done we may take steps to cancel the registration. The provider may write to us with their views on cancellation and to appeal any decision to cancel.
- In an emergency we can take urgent steps to cancel registration or to impose, vary or remove a condition on the registration of the service. We would only do this when there is a serious risk to a person's life, health or wellbeing.

We tell the local authority where the service operates about any enforcement action that we carry out.

Overnight care and fostering arrangements

If you want to start providing overnight care after you are registered, you must apply to us for a variation to the conditions of your registration. If we grant the variation overnight care will be included in the condition on your registration certificate which describes the service you provide.

You should be aware that to provide a fostering service to children placed by a local authority, you must be an approved foster carer. This is different from a situation where parents make arrangements directly with you to care for their children overnight. Such an arrangement will be classed as private fostering if it goes on for more than 28 days. If you enter into a private fostering arrangement you must tell your local authority. They have a duty to secure the wellbeing of every privately fostered child. They must carry out visits and checks, within set periods of time and on a continuing basis, to satisfy themselves that the placement is appropriate. Local authorities have the power to impose conditions on arrangements and they can also disqualify people as private foster carers.

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Website: www.careinspectorate.com

Email: enquiries@careinspectorate.com

Care Inspectorate Enquiries: 0845 600 9527

This publication is available in other formats and other languages on request.

Tha am foillseachadh seo ri fhaighinn ann an cruthannan is cànan eile ma nithear iarrtas.

অনুরোধসাপেক্ষে এই প্রকাশনাটি অন্য ফরম্যাট এবং অন্যান্য ভাষায় পাওয়া যায়।

یہ اشاعت گزارش پر دیگر شکلوں اور دیگر زبانوں میں دستیاب ہے۔

ਬੇਨਤੀ 'ਤੇ ਇਹ ਪ੍ਰਕਾਸ਼ਨ ਹੋਰ ਰੂਪਾਂ ਅਤੇ ਹੋਰਨਾਂ ਭਾਸ਼ਾਵਾਂ ਵਿਚ ਉਪਲਬਧ ਹੈ।

هذا المنشور متوافر عند الطلب بتنسيقات وبلغات أخرى.

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