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Child and Family Agency

# Executive Summary: Report on the Process of Pre-school Inspection Practices as documented in inspection reports

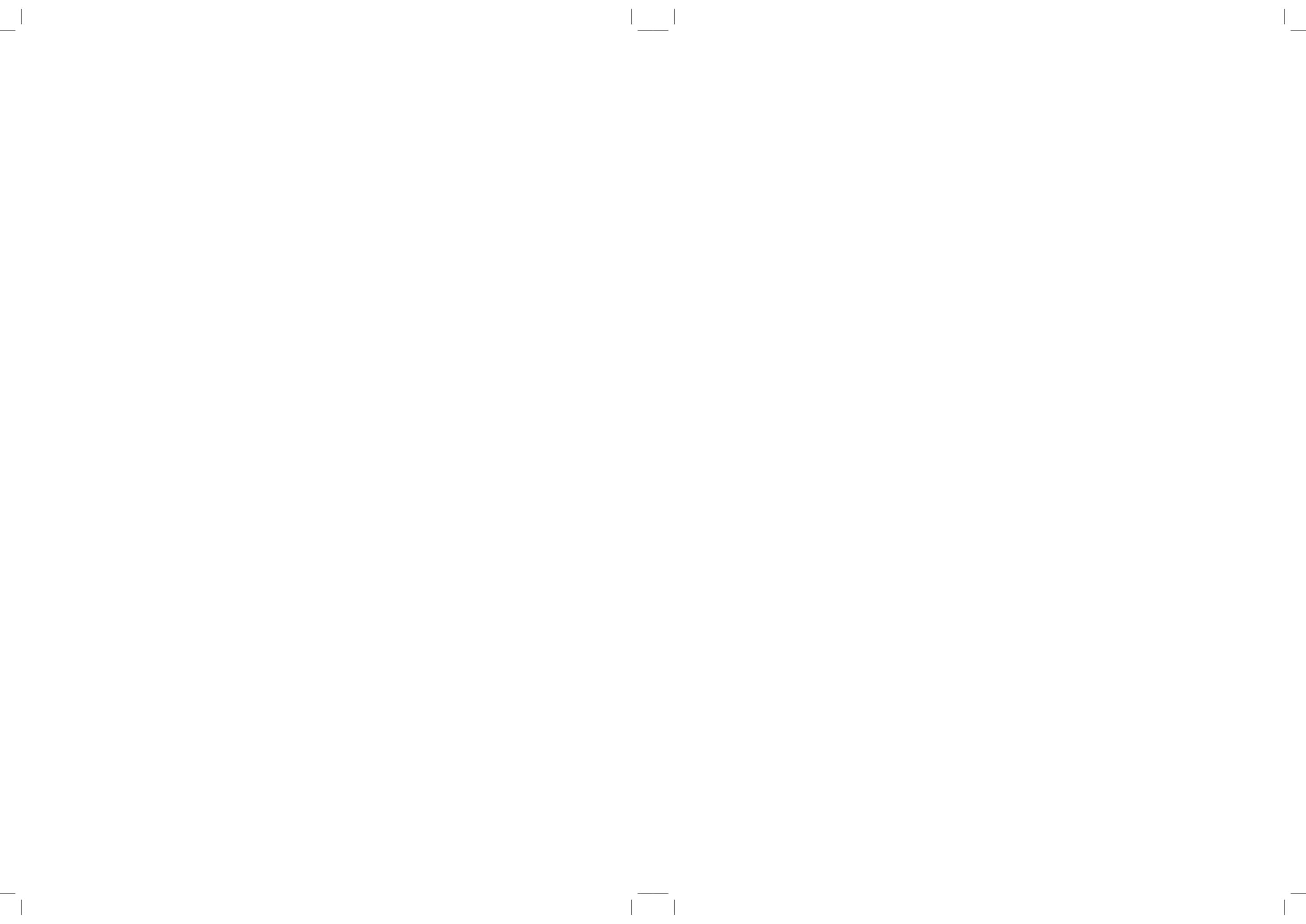
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**Dr. Sinéad Hanafin**  
September 2014



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**Report on the Process of Pre-**  
**school Inspection Practices**  
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**in inspection reports**

**Dr. Sinéad Hanafin**

**Tusla, Child and Family Agency**

**September 2014**

This report has been prepared by **Dr. Sinéad Hanafin** of **Research Matters Ltd.** on behalf of  
Tusla, Child and Family Agency.



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7. The collation of reports was hampered by **the absence of a central repository and an appropriate ICT system**. Consideration needs to be given to such a development as a matter of urgency.

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## Foreword



Ireland's strong commitment to supporting children and young people is reflected in the investment it has made in a new State agency dedicated to improving well-being and outcomes for children. Tusla, the Child and Family Agency, which was formed on 1st January 2014, represents the most comprehensive reform of child protection, early intervention and family support services ever undertaken in Ireland. It is an ambitious move, which brings together some 4,000 staff and an operational budget of approximately €609 million.

As Chief Executive of this Agency, I am acutely aware of the overwhelming evidence that investment in early childhood care and education produces lasting benefits across a range of outcomes.

I commissioned this analysis of inspection reports spanning 17 months to determine the key learning areas for strategic attention. The benefits of this learning will accrue for children, communities and society at large, and they are important for each one of us.

We know from the *Growing Up in Ireland* study that at 9 months, just under 40% of infants were in regular non-parental childcare. Provision has also been made for each child in Ireland under the Early Childhood Care and Education Programme to avail of one year of free access to early years learning. The regulation of this area is, therefore, critically important to make sure that good quality services are consistently provided to children in their formative years of development.

I welcome the findings of this *Report on the Process of Pre-school Inspection Practices*. They have implications for everybody – for Tusla, for the Early Years Inspectors, for childcare providers, but most of all for the children availing of these services. Significantly, they confirm the importance of ongoing investment in the areas of education, training and other supports for early years services. It is re-assuring to note that, overall, the process of inspection is comprehensive, wide-ranging and forensic. The reports also identify what improvements can be made and the learning is currently informing our practice development.

Early years care and education can have specific economic benefits and have the potential to play a key role in the overall education of Ireland's children. It is a common good that should be cherished and developed as Ireland pursues its aspiration to world-class childhood for all.

Finally, I wish to thank Dr. Sinéad Hanafin, Research Matters Ltd., author of this report, for her excellent work. This report represents an important contribution to the debate about best practice in the vital early years of childhood development.

**Gordon Jeyes**  
Chief Executive  
Tusla, Child and Family Agency

## ICT systems

The absence of a central repository for reports led to significant challenges in accessing and managing the data emerging from the reports. Immediate consideration needs to be given to the development and implementation of a comprehensive ICT system that can support the generation and collation of reports; make the information accessible for analysis; and allow for rapid retrieval of individual reports. In the absence of such a system, access to information about pre-school inspections will continue to be problematic.

## 7. Areas for consideration

A number of issues emerging from this report need to be considered in light of the findings identified. These are:

1. Some consideration needs to be given to the extent to which regulations are individually assessed as compliant/non-compliant and the following **4 thematic areas** which emerged in the analysis of findings **could provide an overarching framework**:
  - Is the service safe?
  - Does the service support the health, welfare and development of children in its care?
  - Is the service well governed
  - Are the premises and facilities structurally sound and fit for purpose?
2. A **more harmonised approach to the process of reporting** needs to be considered and this includes the extent and clarity of the information, as well as the type of commentary provided. Within this, Regulation 5 needs particular consideration.
3. There was less variation around the threshold of compliance and non-compliance than might have been expected and for some regulations the determination was very straightforward, with almost no variation. The **findings from this report can be used as a basis for professional development** across this area and can be of assistance in making thresholds explicit.
4. While the reports provide a comprehensive and detailed insight into the early childcare and education services provided, some consideration should be given to **including the voice of additional stakeholders, including providers, children and their families**, in the overall process.
5. Consideration should be given to the development of a **strategic research and data programme** to support the provision and inspection of early childcare and education.
6. A more comprehensive analysis could have taken place had **additional information** been provided in the inspection reports on, for example:
  - the context of the service (e.g. location within community, type of premises, etc);
  - the level of education of the service provider in the area of early childhood care and education;
  - the profit/not-for-profit status of the service;
  - whether there had been previous complaints about the service.

Consideration should be given to the inclusion of these areas in the Inspection Report Form.

For other regulatory issues, however, the overall finding was less predictable. Sometimes, a finding of non-compliance was dependent on the number of elements that were identified as non-compliant. In other words, if an issue arose once (e.g. one area of the pre-school was not clean), the service might be found compliant. However, if several instances were observed (e.g. several areas of the pre-school service were not clean), then the finding was likely to be non-compliant.

Services should have a clear understanding of expected standards, which should be universal across regions and inspectors. While not wishing to limit professional judgement, scope for deviation from norms should be limited and inspectors should know what thresholds to apply and services should know what thresholds to expect. The material in this report provides an indication of variation in decisions of compliance and non-compliance. This variation needs to be addressed in a systematic way in order to ensure standardisation across the service.

### Ongoing professional development

As with all professionals, there is a need to support continuous professional development in this area. The material presented in this report can provide a basis for reaching consensus about the thresholds of compliance and non-compliance in pre-school provision for children, but a more systemic, comprehensive and strategic approach will ensure that the inspection process is supported to make the best use of up-to-date evidence, policy and practices. Consideration should be given to developing a professional development programme that is informed by the findings from these inspection reports and tailored accordingly to meet the needs of the Pre-School Inspectorate.

### Research, monitoring and evaluation

The information in the inspection reports is clearly of benefit to the individual services addressed in them. It should be recognised, however, that the aggregated information across services is a valuable resource for services and inspectors, as well as for policy development. The present report is the first of its kind in the Irish context to draw on pre-school inspection reports and it provides a unique insight into this area. Together with the complementary report focusing on the findings from the reports on key areas of quality in pre-school services, this report provides detailed information about the key issues arising for providers, policy-makers and inspectors in respect of pre-school provision.

While this report presents a comprehensive baseline, it is important that there is continued and ongoing research, monitoring and evaluation of the service. Consideration needs to be given to the development of a comprehensive and strategic approach to meeting research and data needs, which include taking account of the views of children, parents and service providers, and ensuring regular and ongoing monitoring and evaluation through administrative and other data sources. Such an approach can ensure reliable, up-to-date evidence is available to make informed decisions; has the potential to improve effectiveness and efficiency of services; increases accountability and performance; reduces risk; identifies trends, impacts, outcomes and challenges; and facilitates comparisons and benchmarking between and within organisations, nationally and internationally.

## 1. Introduction

The Health Service Executive (HSE) is responsible for inspecting the quality of pre-schools, play groups, nurseries, crèches, day-care and similar services that cater for children aged 0-6 under the *Child Care (Pre-School Services) Regulations 2006*. The inspections are carried out by Pre-School Inspectors who are professionals with expertise in children's development and environmental health. There are 33 regulations, set out under 6 parts, and 27 of these regulations (from Regulation 5 to Regulation 31 inclusive) are inspected by Pre-School Inspectors. Under Section 32 of the regulations, the HSE must furnish a report in writing to the person carrying on the pre-school service.

The present report focuses on key issues arising in respect of the *process and technical aspects* of pre-school inspection practices and is complementary to a second report that focuses on the key issues relating to the *quality of pre-school services* as documented through pre-school inspection reports.

The study was commissioned by the HSE in June 2013 to provide an analysis of reports on inspections carried out over a period of 17 months, from January 2012 to May 2013. The objectives of this analysis were:

1. to provide an overall description of the reporting process by the Pre-School Inspectorate;
2. to describe differences, commonalities and consistencies in the reporting process;
3. to assess the threshold of evidence being applied in the reports;
4. to present a written report outlining key findings.

### Overview of report

The report is divided into six main sections. Sections 1 and 2 provide a brief introduction and methodology for the study. Sections 3 and 4 present the main findings from the analysis, including a detailed description of the reporting process and a report on the threshold of compliance and non-compliance as determined by the Pre-School Inspectors. The report ends with a discussion and conclusions (Section 5), followed by key areas for consideration arising from the findings (Section 6).

## 2. Methodology

At the time this report was commissioned, there were 44 Pre-School Inspectors (37.8 whole time equivalents) operating nationally and completed inspection reports were held by individual inspectors at their local health office. In June 2013, the National Pre-School Office contacted each individual local health office and asked them to submit reports completed between January 2012 and May 2013. The absence of a central repository, along with staff vacancies and leave, resulted in the process of collating reports for inclusion in the analysis being both time-consuming and complex. All reports submitted prior to 31st August 2013 (n=3,007) have been included in the analysis. A comparison between the numbers of inspections conducted over the same period of time suggests that reports on approximately 80% of inspections carried out between January 2012 and May 2013 have been included in the analysis. Ethical considerations relating to anonymity and good practices in data protection have been addressed.

Both quantitative and qualitative analyses were conducted. Just over 3,000 reports (n=3,007) were included in the overall analysis and a descriptive analysis, using the Statistical Package for the Social Sciences (SPSS), Version 20, was carried out on key quantitative variables. In addition to the quantitative analysis, a random sample of 500 reports was extracted and a thematic analysis was conducted in respect of individual regulations and across regulation.

As with all secondary data sources, the information presented may not incorporate all aspects relevant to the analysis, including, in this case, information on the level of education qualifications of the service providers (which can be a strong predictor of service quality) or on whether the service was operating on a 'for profit' or 'not-for-profit' basis. The short time period available for this analysis and report has meant that potential additional data sources have not been explored. As indicated earlier, approximately 80% of reports of inspections from the period January 2012 to May 2013 are included in the analysis. Although this is a limitation, the information provided in the reports was of sufficient extent and detail to give a rich insight into the operation of the pre-school services. In addition, the number of reports lends itself to sub-analysis by various categories and the findings are, therefore, likely to be generalisable to the overall reporting process.

### 3. Purpose of the inspection process

The purpose of the inspection process is to assess overall quality of the service through making judgements about compliance in respect of the pre-school regulations. These judgements are documented in the pre-school inspection report. The findings in this report are presented under the eight broad areas and by individual regulation (*see Table 1*).

**Table 1: Structure of reporting template used by Pre-School Inspectors according to broad area, regulation number, regulation title and percentage of reports with an assessment of non-compliance**

Broad area	Regulation No.	Short title of regulation	% of reports non-compliant
Food and drink	26	Food and drink	12.4%
General information	29	Furnishing of information to the HSE	5.1
Health, welfare and development of the child	5	Health, welfare and development of the child	14.9
	9	Behaviour management	9.1
Information on the pre-school setting	10	Notice to be given by person proposing to carry on pre-school service	0.7
	11	Notification of change in circumstances	4.6
	31	Annual fees	4.7
Management and staffing	8	Management and staffing	46.2
	12	Number of pre-school children who may be catered for	0.7
Premises and facilities	18	Premises and facilities	28.3
	19	Heating	10.3
	20	Ventilation	10.5
	21	Lighting	5.2

non-compliance. This can be a positive feature of the process and services can benefit from positive endorsement of their work and learn about what is good about their service and what is worth keeping.

A greater standardisation of report-writing and decision-making about compliance is required and the current degree of variation needs to be reduced, while still allowing for professional judgements to be made about service quality. All decisions about non-compliance should be supported by commentary about non-compliance and also by actions required to remedy any shortcomings and associated commentary. This applies currently in the vast majority of reports, but should be standard procedure in all cases.

#### The assessment of Regulation 5 is complex, involves multiple areas and generates extensive commentary in reports

The assessment of Regulation 5, relating to the health, welfare and development of children, is assessed under 4 broad themes, namely: the extent to which the service meets children's basic needs; the physical and material environment; the programme of activities; and the relationships around children. In contrast to the assessment of other areas (e.g. Regulation 30 on availability of insurance), an assessment of Regulation 5 extends across multiple areas and consequently generates extensive commentary. In terms of compliance commentary, the number of words reported (536,907 words) was almost 6 times greater than that of the next highest regulation (Regulation 14 on Records). It is evident from the commentary presented that there is an acute awareness by those carrying out inspections of the extent to which children's health, welfare and development is influenced by the broader environment where they are cared for. A requirement to take account of these influences is a central and undisputed element of the overall inspection process and this should continue to take place.

The breadth of areas covered under Regulation 5 can lead to a cross-over into other regulation areas, which can result in duplication within an inspection report. In order to minimise this, it is suggested that where issues within assessment of Regulation 5 are dealt with under different regulations, they should instead be identified under the other relevant regulation. In addition, there is a need for some agreement about the extent of commentary required to be reached in order to ensure a greater standardisation across the inspection process when reporting on service quality.

#### Threshold of compliance and non-compliance

A detailed analysis, across each of the 8 broad areas assessed during inspections, was carried out in order to examine the threshold at which a regulation is compliant or non-compliant. This showed some differences according to the regulation under examination. For some regulations, the threshold was very straightforward and there was little variation in respect of the findings. This was particularly the case for those regulations concerned with the premises and facilities where, in general, if there was an element of non-compliance, the overall finding was of non-compliance. This held true for several other regulations, where there were a number of very definitive areas of non-compliance. A full listing of these is presented in the text of the report and areas include, for example, poor staff-child interactions as observed during the inspection; Garda vetting not in place for all staff; staff-child ratio not correct; children not provided with sufficient food on the day of the inspection; fire drills not taking place; and no programme of activities. Where there was an immediate threat to children's safety (e.g. no stair-gates in place, children unsupervised, children having easy access to chemicals and cleaning materials), the regulation was almost always deemed to be non-compliant.

## 6. Discussion and Conclusions

This section draws together key issues arising throughout the report in respect of the process of reporting and thresholds applied to compliance and non-compliance. Some conclusions are drawn from the findings and these are now presented.

### In general, the process of pre-school inspection is comprehensive, wide-ranging and forensic

An analysis of the pre-school inspection reports clearly shows that inspections that take place focus on multiple aspects of the service and the average number of regulations inspected is between 23 and 24. There are 8 broad areas inspected, namely: food and drink; general information; health, welfare and development of the child; information on the pre-school setting; management and staffing; premises and facilities; records; and safety. Each of the 27 regulations is accommodated under these 8 areas and most inspections involve an examination of most of these areas. Many reports provide detailed examples and observations of behaviours, processes and structural issues that have been observed during the course of the inspections. In addition, a detailed examination of records, policies and procedures can also take place during inspections and there were several examples of both compliance and non-compliance where the commentary presented could only have been drawn from a detailed examination of written materials held by the service. These include, among others, staff rotas, children's registers and personnel files, as well as child protection, behaviour management and infection control policies. Some commentary provided suggests a detailed examination of various areas of the physical and material environment, with the consequent identification of numerous examples of the extent to which various aspects of the service met best practices. The basis for decisions on compliance and non-compliance was elaborated in accompanying commentary in the majority of cases, although the extensiveness of the commentaries varied considerably.

### Different approaches are adopted to reporting on inspection findings

There are differences in how reporting on the quality of pre-school services takes place in inspection reports and 4 main approaches were identified: (a) no commentary is provided; (b) a single broad, usually short statement noting the status of the regulation; (c) the identification of the specific sub-clauses under which compliance or non-compliance was found; and (d) an elaboration of commentary, ranging from a couple of sentences to extensive information being provided. There are also differences in respect of the tone, focus and references to evidence observed or collated during the course of the inspection. The approaches suggest differing practices in reporting and some consideration needs to be given to a more systemic approach to the reporting process.

### A substantial amount of commentary is provided in respect of compliance, non-compliance and actions required irrespective of the overall status of the individual regulation

Substantial commentary is provided in the reports of the inspections irrespective of the compliance status and there are many instances where compliance commentary is provided in cases where the compliance status of the service is non-compliant. This suggests that the reporting of the pre-school inspection process is used to provide feedback to providers on areas identified as good practice and high quality, even where the overall decision is one of

	22	Sanitary accommodation	24.9
	23	Drainage and sewage disposal	0.8
	24	Waste storage and disposal	3.9
	25	Equipment and materials	17.4
	28	Facilities for rest and play	13.0
Records	13	Register of pre-school children	20.2
	14	Records	35.0
	15	Information for parents	12.5
	17	Copy of Act and Regulations	3.5
	30	Insurance	4.5
Safety	6	First aid	10.2
	7	Medical assistance	9.8
	16	Fire safety measures	19.9
	27	Safety measures	43.0

## 4. Description of reporting process

A common reporting tool is used by Pre-School Inspectors to report on the quality of individual services. The first page of the tool is used to provide demographic and other information about the service being inspected (e.g. type of service, number of places) and the inspection itself (e.g. type of inspection, date of inspection, date report issued and HSE local health office area). The remaining parts of the reporting tool are structured around the 27 individual regulations and for each regulation (Regulation 5 to Regulation 31) a template is provided which includes 3 tick box options (Compliant, Non-compliant, Not applicable). Provision is also made for commentary to be provided on compliance, non-compliance and actions required for each individual regulation (see Figure 1).

**Figure 1: Example of information in respect of each individual regulation in reporting template used by Pre-School Inspectors**

Information on Pre-School Setting		
Regulation 10 (Notice to be Given by Person Proposing to Carrying on a Pre-School Service)		
Compliant <input type="checkbox"/>	Non-Compliant <input type="checkbox"/>	Not Applicable <input type="checkbox"/>
Compliance Information:		
Non-Compliance Information:		
Action Required:		

There is some consistency in respect of the breadth of areas assessed as compliant or non-compliant during the course of individual inspections and, on average, between 23 and 24 regulations are reported on in inspection reports. Overall, the 3 categories of 'not applicable', 'not assessed' and 'not found' account for about 12.2% of the overall 81,189 regulations analysed. An average of 2 regulations are deemed to be 'not applicable' in the course of inspections and these most commonly are Regulation 10 (Notice to be given by person proposing to carry on pre-school service – 14.9%), Regulation 31 (Annual fees – 18.7%), Regulation 11 (Notification of change

in circumstances – 50.3%) and *Regulation 12* (Number of pre-school children who may be catered for – 56%). It is perhaps to be expected that these would not change in many instances between inspections and a finding of ‘not applicable’ is therefore understandable.

The mean average number of regulations identified in individual reports as ‘**not assessed**’ was less than 1 (0.31; SD = 1,590) and more than 95% of reports recorded no instance of a regulation with a status of ‘not assessed’. Only 4 regulations were identified in over 2% of reports and these were *Regulation 9* (Behaviour management – 2.2%), *Regulation 13* (Register of pre-school children – 2.3%), *Regulation 7* (Medical assistance – 2.3%) and *Regulation 30* (Insurance – 2.3%). Reasons for non-assessment were rarely recorded.

The final area, ‘**not found**’, refers to those regulations where no indication was given about the overall status of the regulation. The percentages of ‘not found’ ranged from 2.1% (*Regulation 31*: Annual fees) to 9.2% (*Regulation 26*: Food and drink). The finding for *Regulation 26* should be understood in the context of a separate report issuing from the Environmental Health Officer Section in respect of this area.

In general, reports tend to be of a business-like nature, with an ‘official type’ approach, and on the whole reports were written in an articulate and professional manner, with a focus on each of the three areas of compliance, non-compliance and actions required. Throughout the commentary, detailed information was provided and specific observations recorded.

There was considerable variation in the tone adopted and this was particularly the case in terms of commentary about actions required, which varied from recommendations to the issuing of time-bound instructions. There were a surprising number of comments where it was clear that problems identified on previous occasions had not been followed up by the service provider. Some reports included information for providers about courses being organised, copies of templates, documents, names of individuals and local national support organisations.

There are 4 broad approaches adopted in respect of commentary on compliance and non-compliance, namely: (a) no commentary is provided; (b) a single broad statement that the service was or was not compliant on the specific regulation; (c) the identification of the specific sub-clause under which compliance or non-compliance was found; and (d) an elaboration of commentary, which ranged from a couple of sentences to extensive information being provided. Regulations where the least amount of commentary was provided were *Regulation 12* (Number of pre-school children who may be catered for), *Regulation 21* (Lighting) and *Regulation 20* (Ventilation), while those with the highest levels of commentary are *Regulation 5* (Health, welfare and development of the child), *Regulation 8* (Management and staffing), *Regulation 13* (Register of pre-school children) and *Regulation 14* (Records). The amount of commentary provided under Regulation 5, however, far exceeds all other areas and this is the case for both compliant and non-compliant commentary.

A close relationship has been found, however, in the extent of the commentary about non-compliance and actions required, suggesting that where non-compliance is identified, specific actions are likely to be required.

## 5. Threshold of compliance/non-compliance

The findings from individual reports and services are presented in detail in a separate report (entitled *Report on the Quality of Pre-school Services: Analysis of pre-school inspection reports*).

The information provided here is for the purposes of illustrating decisions about the threshold for compliance and non-compliance. The reporting template, as noted earlier, includes a separate section for each individual regulation and each of the 27 regulations reported on are categorised under one of 8 broad areas, namely: food and drink; general information; health, welfare and development of the child; information on the pre-school setting; management and staffing; premises and facilities; records; and safety.

### Threshold of evidence applied

A judgement that a service is compliant in respect of a particular regulation can be made even in situations where specific aspects are identified as non-compliant and this is reflected in the number of regulations where non-compliance commentary is provided despite the status of the regulation being judged as compliant. Similarly, a judgement of non-compliance may be accompanied by both commentary on compliance and non-compliance. The provision of compliance commentary appears to be a mechanism through which good practices relating to that regulation are supported and encouraged by the inspector.

A judgement of non-compliance can also be made based on a deficiency in one aspect of a regulation and this is particularly the case if the deficiency identified is considered to be of a serious nature or if the non-compliance is in respect of the building and facilities where the service is provided. More commonly, however, where a judgement of non-compliance is made, the commentary refers to deficiencies on more than one aspect. Consequently, in respect of each regulation, issues relating to non-compliance range across a continuum and some insight is provided into this according to themes arising under each regulation.

Key themes arising in respect of each of the 8 broad areas have been considered in detail and presented in tabular form, with some indication of areas of definite and potential non-compliance identified. For some regulatory areas, there are very clear boundaries around which a service is found to be non-compliant and these include, for example, Garda vetting, records not in place, specific safety hazards, poor nutrition and children not adequately cared for. In respect of most other regulations, the boundary is more blurred. Regulations relating to the health, welfare and development of the child and those relating to safety are most likely to show high levels of variation. In some ways, this is understandable since professional judgement and subjective interpretation are required in order to determine compliance or non-compliance.

Compliance and non-compliance commentary in respect of the premises and facilities shows a different pattern to that of other regulations and there is much less variation in terms of the threshold of compliance. In general, the findings are more definitive and where any aspect of the regulations is non-compliant (e.g. lights broken, rubbish bins not adequate, toys dirty), the overall finding is one of non-compliance.