

Escalation & Enforcement Review 2022 Executive Summary



The Early Years Inspectorate, (part of Tulsa’s Children’s Services Regulation), is the independent statutory regulator of early years services in Ireland and has responsibility for registering and inspecting preschools, play groups, nurseries, crèches, day-care, and similar services that cater for children aged 0–15 years. The role of the Early Years Inspectorate is to promote and monitor the safety, quality of care and support of the child in early years provision in accordance with the Child Care Act 1991 (Early Years Services) Regulations 2016 and Child Care Act 1991 (Early Years Services) (Registration of School Age Services) Regulations 2018.

The Early Years Inspectorate’s Enforcement and Escalation Team oversee enforcement activity initiated under legislation against services through two panels: the National Registration and Enforcement Panel and the Conditions Panel. In 2022, there was an additional enforcement stream for services who did not complete their 3 yearly registration renewal and required enforcement action to meet compliance with requirements.

Services are referred to the panels for a range of reasons including,

- Consistent and persistent non-compliance with regulation,
- Operation without or contrary to granted registration,
- Requirements for registration renewal not met,
- High or critical concerns following inspection, that pose a risk of ongoing harm to children.

Each year, a small number of early years services are assessed as requiring escalation for consideration of enforcement. This report presents an analysis of services escalated for enforcement actions and the outcomes of those actions in 2022. This report follows the [2021 report](#) which was the first of its kind in Early Years Regulation.

Many services who engaged with the National Registration Enforcement Panel avoided enforcement sanctions. 16 services remained at this panel from the 2021 period, 18 additional services were referred in 2022, with 17 of these services accepted to the panel in 2022. Provider engagement with the different escalation and enforcement actions in the majority of cases resolved the concerns and non-compliance highlighted on inspection.

24 services were referred and accepted at the National Conditions Panel in 2022. All 24 services engaged with the process. 13 services with conditions attached in 2021 were brought forward from 2021 to 2022. 3 services had conditions proposed but not attached following successful receipt of representations and 21 services had conditions attached to their registration. 7 services with conditions attached, were de-escalated and conditions not reconsidered, and 6 services were re-inspected to assess compliance with the attached conditions and general compliance with the early years regulation. 3 services in 2022 were escalated for further enforcement action at the National Registration Enforcement Panel.

The previous trend of positive and proactive engagement between services and the Early Years Inspectorate has continued in 2022. There remains a good level of engagement from services considered for enforcement actions and this has consistently resulted in lower levels of sanctions. While no service met the threshold of removal from the register in 2022 through traditional enforcement action, one service was removed from the register in December 2022 for failing to meet requirements of their registration renewal. A large percentage of services improved compliance so that no sanctions were necessary. Other services had conditions attached to their registration which were then removed following inspection when compliance was achieved by the service.

These positive outcomes continue to reinforce the key message that continuous engagement and communication is essential between providers and the Early Years Inspectorate.