

Key Findings Arising from Early Years Inspection Reports (March 2020 to December 2021)

Executive Summary

This report, authored by Dr Sinéad Hanafin and produced by Research Matters Ltd, provides an in-depth examination of compliance and quality in Ireland's early years services as regulated by Tusla's Early Years Inspectorate. This period was particularly challenging due to the COVID-19 pandemic and a cyberattack on Tusla's IT systems, both of which impacted service operation and inspection schedules. The report underscores the robustness and adaptability of early years services across Ireland in meeting essential standards for children's safety, welfare, and development.

Tusla, as the statutory regulator for early years services, is tasked with inspecting crèches, nurseries, day-care, playgroups, and other services catering to children under six years old. The agency's mission is to ensure that all registered services meet the standards set forth in the Child Care Act 1991 (Early Years Services) Regulations 2016, which mandate the safety, health, and developmental support for children in early years settings. The inspections, therefore, are central to providing quality assurance and safeguarding children.

The report analysed findings from **3,520 inspection reports**, which collectively covered **3,035 individual services**. Within these inspections, a total of **19,599** regulations were assessed, addressing various aspects of service quality and regulatory compliance. Significantly, around half of all inspections found full compliance across all assessed regulations, and a further 20% identified only one area of non-compliance, highlighting that the majority of services consistently met required standards.

Purpose of the Report and Inspection Framework

This report, is intended to provide a detailed overview of regulatory compliance across Ireland's early years services. It also identifies key areas where services excel and where improvements are needed. The report emphasises that inspections play a pivotal role in verifying adherence to legislation, promoting child safety, and ensuring service quality. Under the Child Care Act 1991, Tusla's Early Years Inspectorate holds the authority to inspect all registered early years services and enforce compliance with legislation, ultimately aiming to make early years services safe, nurturing environments where children can thrive.

The report was conducted during a period of unprecedented difficulty. The onset of the COVID-19 pandemic introduced numerous operational challenges for early years services, such as the need for stringent health protocols, while the cyberattack on Tusla's IT systems further complicated data collection and regulatory oversight. Despite these hurdles, the Inspectorate continued its work, producing insights that will be critical for both service improvement and Tusla's own regulatory practices.

Key Findings

The report's findings reveal a nuanced picture of compliance across different service types, regulations, and regions, with variations reflecting distinct challenges and strengths.

Compliance Rates by Service Type

The level of compliance varied notably across different types of early years services. Specifically:

- **Sessional Services** (short daily care sessions): 59.8% of sessional services were fully compliant across all regulations, reflecting strong performance.
- **Part-time Services**: 57.7% of part-time services achieved full compliance.
- **Full-Day Care (FDC) Services**: Full-day care services had the lowest compliance rate, with only 38.9% of inspection reports showing full adherence to all regulations. This suggests that more complex, extended care settings face additional challenges in meeting all standards consistently.
- **Childminding Services**: Out of 66 childminding services inspected, 62% were fully compliant, indicating a generally high level of adherence within this category.
- **Drop-in Services**: Notably, no drop-in services were reported as fully compliant; however, only five reports were included for this category, so findings should be interpreted with caution.

These findings suggest that smaller-scale and shorter-duration services may face fewer challenges in achieving compliance than full-day services, which operate for longer hours and often cater to larger numbers of children.

Regional Compliance Variations

Compliance rates also varied significantly across Tusla's four regions, indicating that geography may play a role in regulatory outcomes. The distribution of inspections was as follows:

- **South Region**: With 1,082 inspections (30.7% of the total), the South region achieved the highest compliance rate, with 58.4% of services fully compliant across all regulations.
- **Dublin Mid-Leinster (DML)**: This region conducted 936 inspections, representing 26.6% of the total, with intermediate levels of compliance.
- **Dublin North East (DNE)**: Accounting for 22.9% of inspections (807 reports), DNE had the lowest level of full compliance at 34.7%.
- **West Region**: This region conducted the fewest inspections (695, or 19.7% of the total) and had a compliance level slightly below that of the South region.

The regional differences may be attributed to a range of factors, including variation in service provision models, socio-economic factors, and local regulatory challenges. The higher compliance in the South region might suggest a combination of effective support structures and lower complexity in service delivery within that area.

Key Regulations Assessed

The report identifies seven core regulations that made up 83.6% of all regulatory assessments, reflecting the priority areas in Tusla's inspection framework. These regulations are as follows:

1. **Regulation 9** (Management and recruitment): Compliance rate of 80.8%.
2. **Regulation 10** (Policies and procedures): High compliance rate of 96.9%, indicating strong adherence to operational protocols.
3. **Regulation 11** (Staffing levels): Nearly full compliance at 97.2%, showing effective workforce management in most services.
4. **Regulation 19** (Health, welfare, and development of the child): 83.1% compliance, affirming the general commitment to child welfare.
5. **Regulation 23** (Safeguarding health, safety, and welfare): This regulation posed challenges, with a compliance rate of only 58.8%, the lowest among frequently assessed regulations.
6. **Regulation 25** (First aid): Compliance was high at 89.9%, suggesting that most services are well-prepared for medical emergencies.
7. **Regulation 26** (Fire safety): Compliance stood at 84.4%, indicating broad adherence to fire safety measures.

The varied compliance rates across these key regulations highlight both areas of strength and opportunities for improvement. For instance, the high compliance with staffing and policy-related regulations suggests that many services maintain robust organisational practices. Conversely, the lower compliance with Regulation 23 underscores a need for enhanced safeguards in child health, safety, and welfare.

Compliance Trends and Progress

The report also provides comparative data, showing improvements over previous years in certain areas. Some key trends include:

- **Regulation 11** (Staffing levels): Compliance rose from around 92% in previous years to 97.2%, indicating enhanced workforce stability.
- **Regulation 23** (Safeguarding): Although this regulation remains a challenging area, its compliance improved from 45.7% in 2017 to 58.8% in 2020/2021, suggesting that services are increasingly prioritising child safety.
- **Regulation 9** (Management and recruitment): Compliance increased steadily over the years, reaching 80.8% in the latest report period.

These improvements indicate a positive trajectory in regulatory adherence, driven by both service providers' commitment and the Inspectorate's ongoing regulatory support. Nevertheless, the report highlights that safeguarding remains a priority area where further gains are necessary.

Insights and Recommendations

This report provides valuable insights into the overall state of Ireland's early years services. Several recommendations can be drawn from the findings to enhance service quality and regulatory compliance:

1. **Focused Support for Full-Day Services:** Given the lower compliance rates among full-day services, targeted support and guidance in meeting complex regulatory requirements could help raise compliance in this area.
2. **Enhanced Safeguarding Protocols:** With Regulation 23 showing the lowest compliance, additional training and resources for safeguarding practices are recommended. This could involve workshops, staff training, and regular audits to strengthen service providers' capabilities in maintaining a safe environment.
3. **Regional Collaboration and Resource Sharing:** The variation in compliance rates across regions suggests that collaborative initiatives could help standardise quality across the country. Sharing best practices and regulatory support between regions may improve outcomes in lower-performing areas, such as DNE.
4. **Regular Monitoring and Feedback:** The improvements noted in compliance trends over the years indicate that continuous monitoring and feedback play a vital role in sustaining high standards. Tusla could further benefit from establishing a feedback mechanism to help services improve based on inspection outcomes.

Conclusion

The report underscores the significant progress made by Ireland's early years services in meeting regulatory standards, even in the face of a global pandemic and a cyberattack. The findings illustrate that most services are compliant with a substantial majority of regulations, reflecting a robust foundation of quality care and operational diligence.

Nevertheless, challenges remain, particularly in full-day services and safeguarding practices. The report's data-driven insights will assist Tusla's Early Years Inspectorate in refining its regulatory approach, focusing support on areas with lower compliance, and reinforcing best practices across the sector. Ultimately, these efforts aim to ensure that every child attending early years services in Ireland benefits from a safe, nurturing, and high-quality environment that supports their development and well-being.

Through its comprehensive analysis, this report serves as both a benchmark of current performance and a roadmap for continuous improvement in Ireland's early years services, benefiting children, families, and the broader community.

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