

TÜSLA

An Ghníomhaireacht um
Leanaí agus an Teaghlach
Child and Family Agency

EARLY YEARS INSPECTORATE

Activity Report



Our vision is for all services regulated by the Early Years Inspectorate to be safe and happy places for children to play, learn and develop.

2022

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1. Executive Summary

The Early Years Inspectorate (EYI), part of Tusla's Children's Services Regulation, is responsible for the registration, inspection, and enforcement of early years and school age services in Ireland. This report outlines the Inspectorate's key activities and achievements in 2022, a year marked by continued recovery from the COVID-19 pandemic and the operational impacts of the 2021 cyber-attack.

At the end of the year there were **4,074 registered pre-school services** and **2,350 registered school age services** and the Inspectorate approved **83 new pre-school** and **285 new school age applications**. A total of **2,480 inspections** of pre-school services were completed, with **with 100%** of high-risk services and all services due for inspection under the three-year cycle inspected. The year also saw the continued rollout of inspections for school age services, with **27 inspections** conducted under the relevant legislative framework.

A major focus of the year was the resolution of outstanding registration renewals from 2019. At the beginning of 2022, **903 services** had not completed their renewal due to issues such as fire safety certification, planning compliance, or missing documentation. Through targeted engagement and the implementation of streamlined legislative provisions, this number was reduced to **99** by year-end.

Enforcement activity remained proportionate and effective. **17 services** were referred to the National Registration Enforcement Panel, with most cases resolved through constructive engagement. Only one service was removed from the register due to non-compliance with registration renewal requirements.

Support for the sector remained a priority. The Inspectorate published a range of guidance materials, hosted **seven webinars**, and responded to **143 communications from parents**. Engagement with stakeholders was strengthened, including collaboration with the Department of Education's Inspectorate and outreach to over **100 third-level institutions** offering early years programmes.

The Inspectorate's response to the ongoing effects of the pandemic and the cyber-attack demonstrated resilience and adaptability. Hybrid inspection models, digital communication tools, and targeted support mechanisms enabled continuity of service and reinforced trust within the sector through transparent communication and consistent regulatory support.

The Inspectorate also introduced a new inspection tool and report template, implemented a **Quality Management System (QMS)**, and enhanced internal systems to support intelligence-led planning. These improvements contributed to more consistent, efficient, and transparent regulatory processes.

In summary, 2022 was a year of consolidation and progress. The Early Years Inspectorate continued to deliver on its regulatory mandate while supporting providers to deliver safe, high-quality services for children. The systems, relationships, and practices strengthened during the year provide a strong foundation for future development.

2. Children's Services Regulation

CSR has a vision for all services regulated by the Children's Services Regulation to be safe and happy places for children and young people to live, play, learn and develop¹.

Tusla – The Child and Family Agency was established in 2014 and is responsible for improving wellbeing and outcomes for children in Ireland. The agency operates under the Child and Family Agency Act 2013, which clearly states that the function of the agency is to support and promote the development, welfare and protection of children, and the effective functioning of families. Tusla is governed by a board responsible for establishing the agency's overall strategic direction and ensuring the implementation of the appropriate financial, operational and compliance controls, and risk management procedures.

Children's Services Regulation (CSR)

Children's Services Regulation (CSR) was established in 2018 and is part of Tusla's Quality & Regulation Directorate. CSR has overall responsibility for the effective operation and performance management of the agency's regulatory functions. The role of CSR is to provide public assurance and confidence that Tusla's regulatory functions operate to the highest standards, within evidence-based practice in accordance with legislation.

The **Early Years Inspectorate** is the statutory regulator of early years services in Ireland. Regulation includes registration, inspection and, where necessary, enforcement. There are three elements to the regulatory work of the Inspectorate.


- Pre-school services
- School-age services



¹ CSR Strategy 2019-2024: <https://tusla.sharepoint.com/sites/home/SitePages/Childrens-Services-Regulation.aspx?web=1>

3. Early Years Inspectorate – 2022

3.1. Data at a glance

	<u>2022</u>	
Pre-School Services Registered	4,074	
School Age Services Registered	2,350	
Pre-School Inspections undertaken	2,480	
New pre-school applications	83	
New school age applications	285	
Concerns received about early years services	432	

3.2. Summary of key activities

Inspection and Regulation

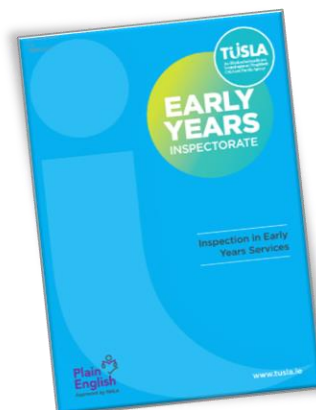
- Successfully facilitated the **registration renewal of 4,338** early years services in accordance with regulatory requirements. Appropriate action was taken in relation to the small number of services that failed to renew.
- **Inspected 100% of pre-school services** identified as high risk.
- Inspected **100% of pre-school services** in line with the three-year inspection cycle.
- Developed and implemented a **new inspection tool and inspection report template** to enhance and streamline the inspection process.
- Enhanced systems and tracking processes to **support intelligence-led planning** and ensure inspections are timely and effectively focused.

Resources and Guidance

- Published a [Regulatory Notice](#) advising the sector on the use of [nappy bins](#) in early years services.
- Developed and [published a range of resources](#) to support the early years sector with vetting requirements for new and existing staff.



- Developed and [published a suite of resources](#) to support services renewing their registration in 2022, including eLearning modules, guidance documents, and FAQs.
- Published a [guidance leaflet for early years services on inspections](#)
- Hosted and published [seven webinars](#) on key topics, including the renewal of early years registration and safeguarding in early years services
- Published [A Guide to Building Safety - Fire and Planning Requirements](#) for early years Services



Stakeholder Engagement

- Developed and [enhanced parental information on the Tusla website](#) to clearly explain the role of the Early Years Inspectorate and to facilitate feedback. A total of 143 communications from parents were received during the year.
- Strengthened collaboration with the Department of Education's Inspectorate and provided clear messaging to the sector regarding respective roles and responsibilities.
- Expanded the engagement forum with third-level institutions offering Early Years programmes, reaching over **100** colleges nationwide.
- Conducted a **survey of Registered Providers** operating outdoor services, using the findings to inform policy development.

System and Process Improvements

- Implemented a **Quality Management System (QMS)** to standardise documentation and processes across the Inspectorate.
- Developed and implemented a process to issue **up-to-date registration certificates** to all eligible early years services in line with regulatory requirements. 100% of required certificates were issued by year-end.
- Reviewed and enhanced **Standard Operating Procedures** and associated documents across the Inspectorate. These were made instantly accessible to all staff as part of the implementation of the Quality Management System (QMS).

4. Introduction

Tusla – The Child and Family Agency was established in 2014 and is responsible for improving wellbeing and outcomes for children in Ireland.

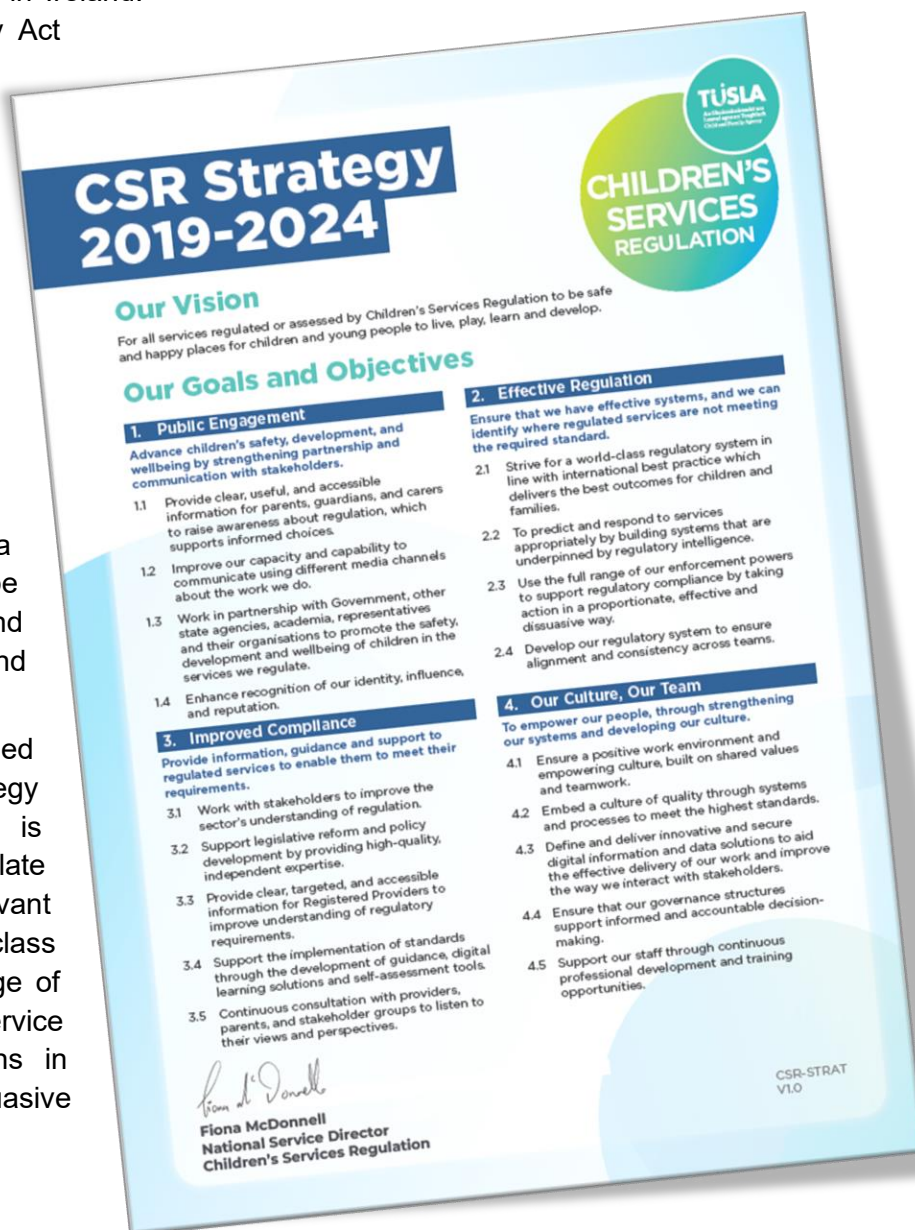
Under the Child and Family Agency Act

2013, Tusla is charged with supporting and promoting the development, welfare and protection of children and the effective functioning of families.

Children's Services Regulation (CSR) is located within the Quality and Regulation Directorate of Tusla and has responsibility for the effective operation and performance of the agency's statutory regulation functions.

Children's Services Regulation has a vision for all regulated services to be safe and happy places for children and young people to live, play, learn and develop.

A defined strategy has been developed to help achieve this vision. The strategy sets out four goals, one of which is effective regulation. We aim to regulate services and enforce the relevant legislation, through a world-class regulatory system using the full range of our enforcement powers. Where a service is below standard, we take actions in proportionate, effective, and dissuasive ways to protect children.



The **Early Years Inspectorate** is part of Children's Services Regulation and is the statutory regulator of early years services in Ireland. Regulation includes registration, inspection and, where necessary, enforcement. Early years services include;

- **pre-school services**
- **school-age services**

5. Regulatory Activity

5.1. Pre-School Services

Pre-school services are play groups, day nurseries, crèches, day-care and similar services which cater for children aged 0-6 years.

The key pieces of legislation, including the regulations relating to the different types of Early Years Services, are listed below

Child Care Act 1991, Section 58 as amended by Part 12 of the Child and Family Agency Act, 2013 (No 40 of 2013)

This Act established the role and function of Tusla's Early Years Inspectorate and set out the legal basis for the regulation, registration and inspection of all Early Years Services

Child Care Act 1991 (Early Years Services) Regulations 2016 (S.I. No. 221/2016)

These regulations set out the specific requirements that Early Years (pre-school) services must legally adhere to. Inspections of services measure compliance against these regulations.

Child Care Regulations (The Child Care Act 1991 (Early Years Services) (Amendments) Regulations 2016. (S.I. No. 632/2016)

These regulations specifically clarified the employment status of people employed under the Access and Inclusion Model (AIM) in Early Years Services

Child Care Act 1991 (Early Years Services) (Amendment) Regulations 2022 (S.I. No. 195/2022)

This enabled a streamlined process for the renewal of registration of Early Years (pre-school) Services and introduced a requirement for certificates of registration to be issued and displayed

5.1.1. Registration

Initial registration of pre-school services, includes the process from an initial application from a proposed registered provider, review of submitted documentation, first inspection (known as a *fit for purpose* inspection), decision-making and communication of the final decision to the proposed

provider.

Requirements for initial registrations are clearly set out in a number of documents which are published on the [Early Years Inspectorate webpages](#). These include;

- [Registration Policy: New Applications](#)
- [New applications for registration – Supporting Documentation](#)
- [A Guide to Building Safety - Fire and Planning Requirements](#)

At the end of 2022 there were **4,074** registered pre-school services. This figure was a small decrease from the **4,133** services that were registered at the end of 2021.

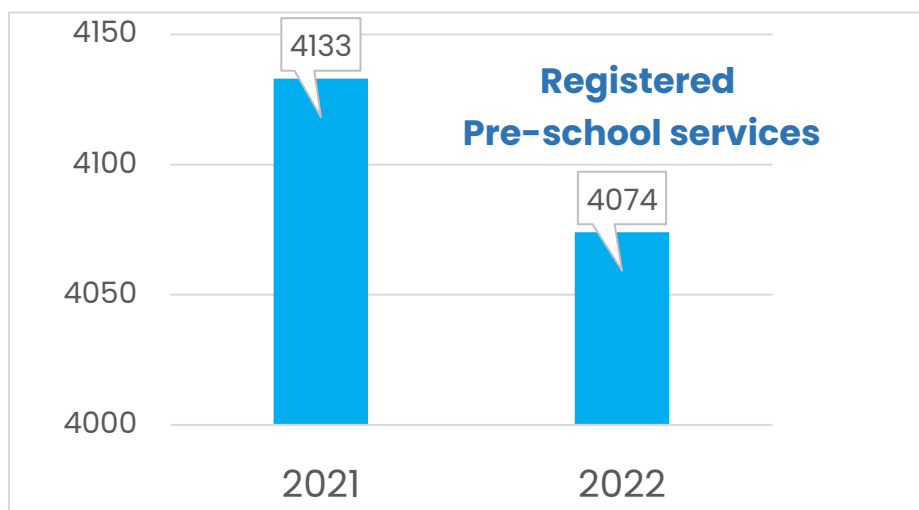


Table 1 Registered pre-school services

There were **83 approved applications** for a new pre-school service. In 2021 **65** applications were approved. No services were refused registration.

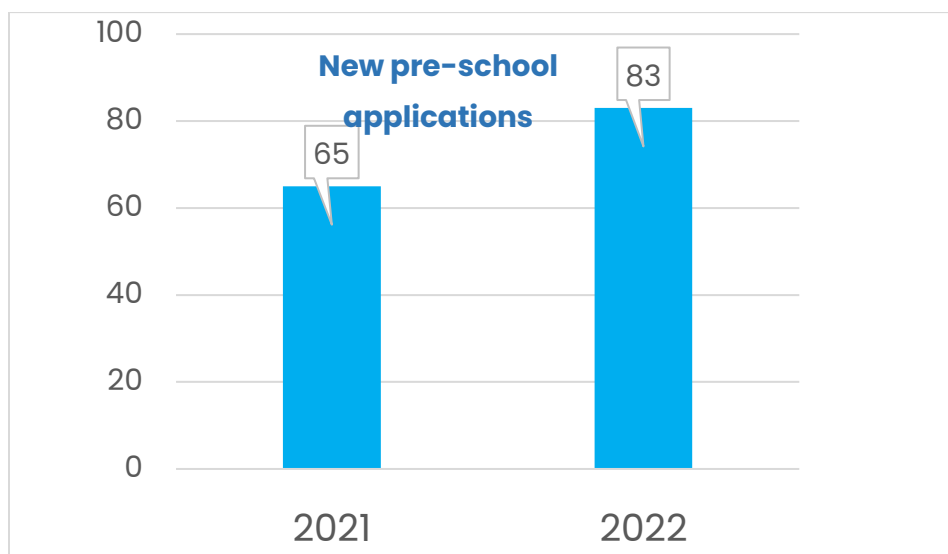


Table 2 New pre-school applications

141 pre-school services notified the Early Years Inspectorate that they had closed in 2022. The same number notified their closure in 2021.

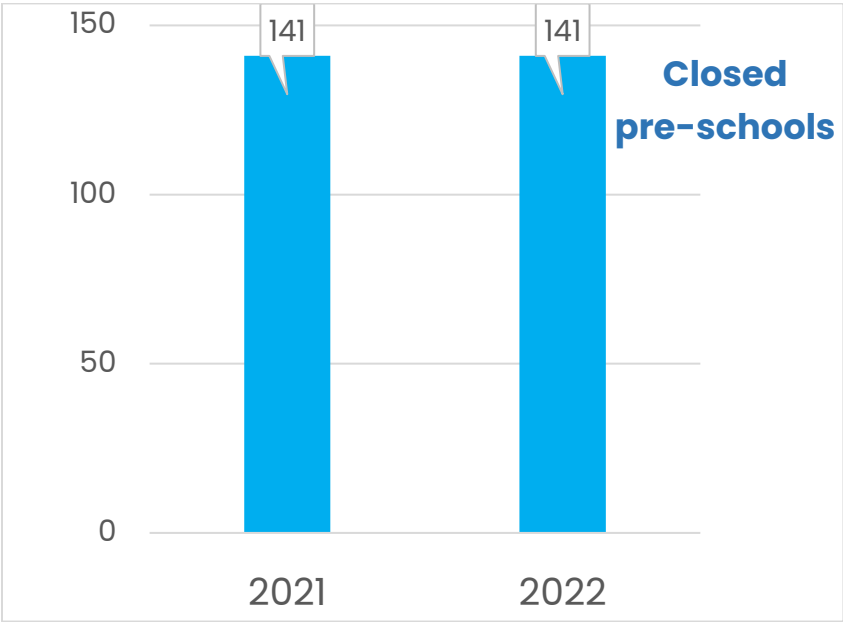


Table 3 Closed pre-schools

5.1.2. Registration Renewal

All Early Years Services are legally required to renew registration every three years. This requirement is set out in Child Care Act 1991, Section 58D(4) as amended by Part 12 of the Child and Family Agency Act, 2013.

Registration renewal is an integral part of the ongoing regulation of Early Years Services which serves to provide assurance to parents, government and the general public, that Registered Providers have taken all necessary actions to ensure the safety and welfare of the children who attend them.

In 2019, pre-school services were required to renew the registration of their service. Approximately **4,062** services were required to complete this process.

As a result of the COVID-19 pandemic in early 2020 and the challenges faced by the sector, the period to complete their renewal of registration 2019 was extended to the end of 2021.

During 2022, the Government introduced new legislation to streamline the renewal of registration process for early years providers with a considerable reduction of administrative burden to the applicant. These provisions are available only to those who have completed full application for registration, those who have not are ineligible to avail of this process.

This year saw the first tranche of providers of both preschool, and school age settings that were required to renew their registration under the revised legislation. The process requires that an application is accompanied by Garda Vetting Declarations for relevant persons dated within 36 months of the date of application submission.

The inspectorate has developed [support documentation](#) to support services with registration renewal requirements.

At the end of this period the number of services that had failed to meet the renewal of registration requirements totalled **903**. This represented approximately 25% of services who were due to renew their registration in 2019. These services were still not fully registered due to issues relating to either their fire safety certification, approved planning (or both) and outstanding registration documentation.

In January 2022, the Registration Office undertook **Project 903** - a targeted initiative to support services with outstanding registration issues as the follow-on exercise from the 2019 renewal of registration to work with these services to help them achieve compliance with their registration in order to avoid service closures.

At the end of 2022, the number of services that did not complete renewal of registration was reduced to **99**.

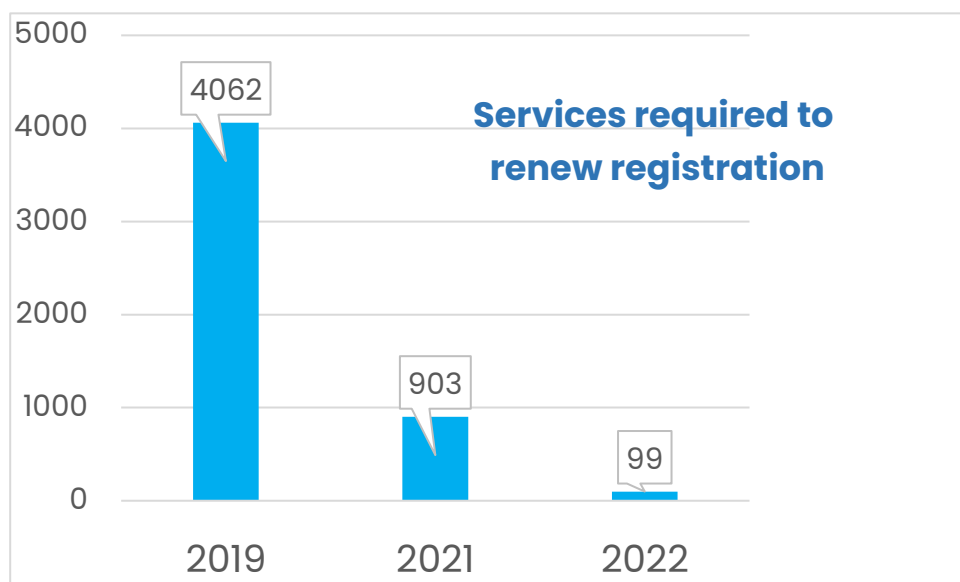


Table 4 Services required to renew registration from 2019

We will continue to work with the remaining 99 services in assisting them reaching full compliance in 2023. It should be noted that these services for the most part had commenced processes to achieve compliance with fire safety and premises suitability. Where necessary the providers were required to put in place suitable mitigating actions to any risk to children posed by the safety of the premises

5.2. School Age Services

A 'school age service' is any early years service, play group, day nursery, crèche, day-care or other similar service which:

- Caters for children under the age of 15 years enrolled in a school providing primary or post primary education.

- Provides a range of activities that are developmental, educational and recreational in manner, which take place outside of school hours, the primary purpose of which is to care for children where their parents are unavailable.
- The basis for access to which is made publicly known to the parents and guardians of the children.

In February 2019, the Child Care Act 1991 (Early Years Services) (Registration of School Age Services) Regulations 2018 came into effect. Through the enactment of the regulations, services who cater for School Age children are required to register with Tusla, the Child and Family Agency before commencing.

Child Care Act 1991, Section 22 as amended by Childcare Support Act 2018

This Act defined a 'School Age Service' for the purposes of regulation

Child Care Act 1991 (Early Years Services) (Registration of School Age Services) Regulations 2018 (S.I. No. 575/2018)

These regulations established the requirement for services which cater specifically for school age children to register with Tusla's Early Years Inspectorate.

Child Care Act 1991 (Early Years Services) (Registration of School Age Services) (Amendment) Regulations 2022 (S.I. No. 196/2022)

These regulations enabled a streamlined process for the renewal of registration of School Age Services and introduced a requirement for certificates of registration to be issued and displayed

5.2.1. Registration

Initial registration of school age services, includes the process from an initial application from a proposed registered provider, review of submitted documentation, decision-making and communication of the final decision to the proposed provider.

Requirements for initial registrations are clearly set out in a number of documents which are published on the [Early Years Inspectorate webpages](#).

2022 again saw a large number of applications for registration as a school age service. **285** applications were approved. In 2021 there were **1,203** approved applications as school age service

registration increased.

At the end of 2022 there were **2,350** registered school age services.

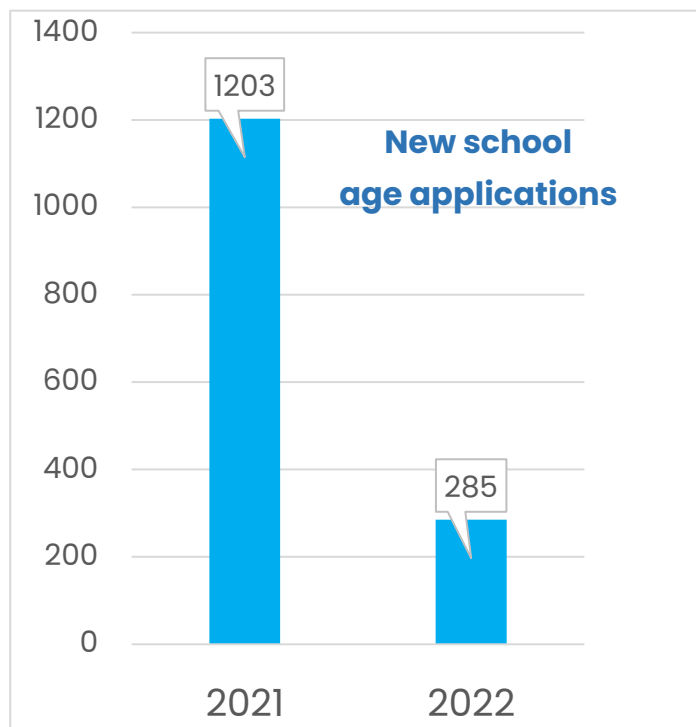


Table 5 New school age applications

5.3. Inspections

5.3.1. Pre-school services

The Early Years Inspectorate is legally obliged to ensure that inspections are carried out regularly and with appropriate frequency in pre-school services in order to verify that the relevant requirements of the appropriate legislation are adhered to in full. Inspections are carried out by eight regional teams and are coordinated and managed nationally. Data is reviewed to ensure optimum use of resources so that higher-risk services are inspected more frequently.

In 2022, a total of **2,480** inspections of pre-school services were undertaken.

The Inspectorate aims to inspect all pre-school services in a three-year period. All services due for inspection in 2022 were inspected. The target for those services that are considered to be high-risk – based on intelligence from previous inspections and other information such as feedback and concerns- is once per year. Again, this target was met in 2022.

5.3.2. School age services

As the statutory regulator, the Early Years Inspectorate undertakes inspections of school age services in accordance with legislation. Details of the legislative background which establishes the basis for

inspections of School age services is set out above. The purpose of inspection is to verify that the registered provider is delivering a service that meets the requirements of Child Care Act 1991, Section 58 as amended by Part 12 of the Child and Family Agency Act, 2013 and Registration of School age services) Regulations 2018.

In 2022 a total of **27** inspections of school-age services were undertaken.

6. Feedback and Concerns

The Early Years Inspectorate welcomes feedback relating to early years services from parents/ guardians and other interested parties. There is a defined Parent Feedback process which enables parents/ guardians to express satisfaction or dissatisfaction and provide general views regarding an early years service.

Where a parent or other interested party wishes to raise concerns about the welfare and safety of children who attend a service these should first, where possible, be brought to the attention of the registered provider. Where concerns need to be escalated to the Early Years Inspectorate they are submitted through the [Concerns about an early years service process](#)

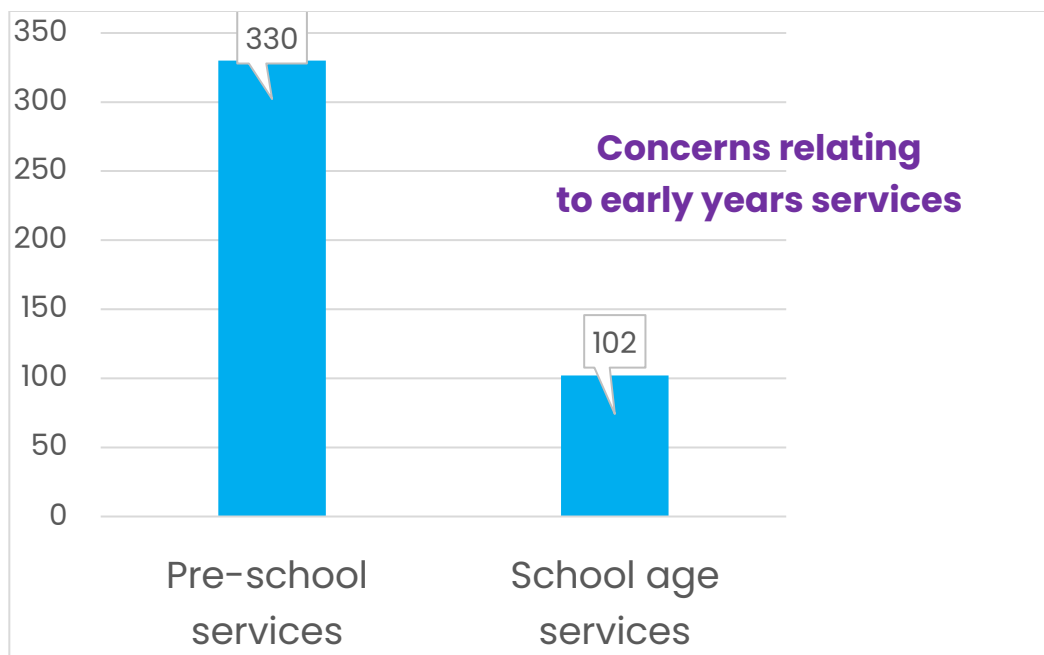
Concerns received by the Early Years Inspectorate which relate to the operation of an early years service, will be reviewed and assessed for the risk associated with the concern to determine if they relate to the health, welfare and safety of children and if they fall within the remit of the Early Years Services Regulations (2016).

Where concerns fall within the remit of the Early Years Services Regulations (2016), the Early Years Inspectorate will ask the early years service to prepare a response to the concern received which may include a report and outcomes of the service's investigation, risk assessment and any other actions taken to address the concern. The Early Years Inspectorate will have oversight of how the service manages this process.

In all cases, the registered provider will be given an opportunity to respond to the concerns and to any inspection reports that are subsequently produced. The Early Years Inspectorate does not conduct investigations. The level of intervention and action taken including the focus and timing of inspections, will reflect the level of risk and its potential impact on children in the service.

The person providing the information will be advised that feedback/the outcome of the Early years inspectorate will not be given, however all inspections undertaken in response to concerns will be [published on the website](#) in due course.

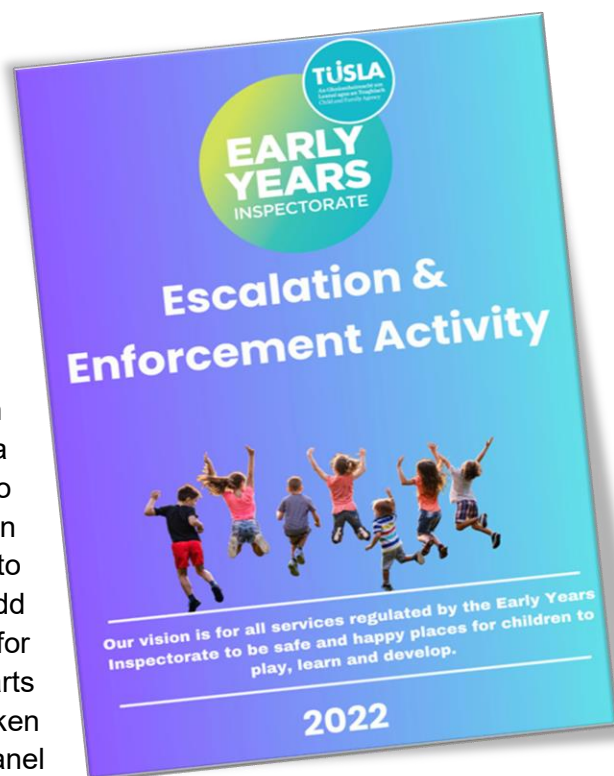
In 2022 **432** Concerns were submitted to the Inspectorate. Of these, **330** related to pre-school services and **102** related to school age services.



All concerns were responded to within defined timeframes

7. Enforcement

The Early Years Inspectorate's Enforcement and Escalation team oversee required enforcement activity initiated under legislation against services. This year the Inspectorate published a detailed [Escalation and Enforcement Activity report](#) presenting an analysis of those services escalated for enforcement actions and the outcomes of escalation. The Inspectorate's regulatory enforcement processes are informed by legislation and by relevant policy. Non-compliance with regulation identified on inspection is in the main, addressed through the preparation by the registered providers of corrective and preventive actions (CAPA) following inspection. This early-stage intervention is usually sufficient to address shortfalls in the attainment of compliance with regulations. There are a range of escalation and enforcement actions embedded into the different processes across the inspection and registration departments. The Inspectorate has the powers to refuse to register services, to remove services from the register, to add conditions to their registration or to prosecute services for significant breaches of regulation and or other prescribed parts of the legislation. Consideration of these actions are undertaken by the Inspectorate's National Registration Enforcement Panel



and National Conditions Panel for early years services.

The purpose of the panel is to consider appropriate and proportionate enforcement pathways for any early years services that are escalated from inspection area teams or the registration department. The work of the panel is coordinated and actioned by the National Registration Manager for escalation and overseen by the Head of Registration and Regulatory Enforcement.

7.2. Referrals to National Registration Enforcement Panel

16 services were under the supervision of the National Registration Enforcement Panel at the end of 2021. These services were brought forward into 2022.

An additional 18 services were escalated during the year, of which 17 were accepted. The regional breakdown is as follows:

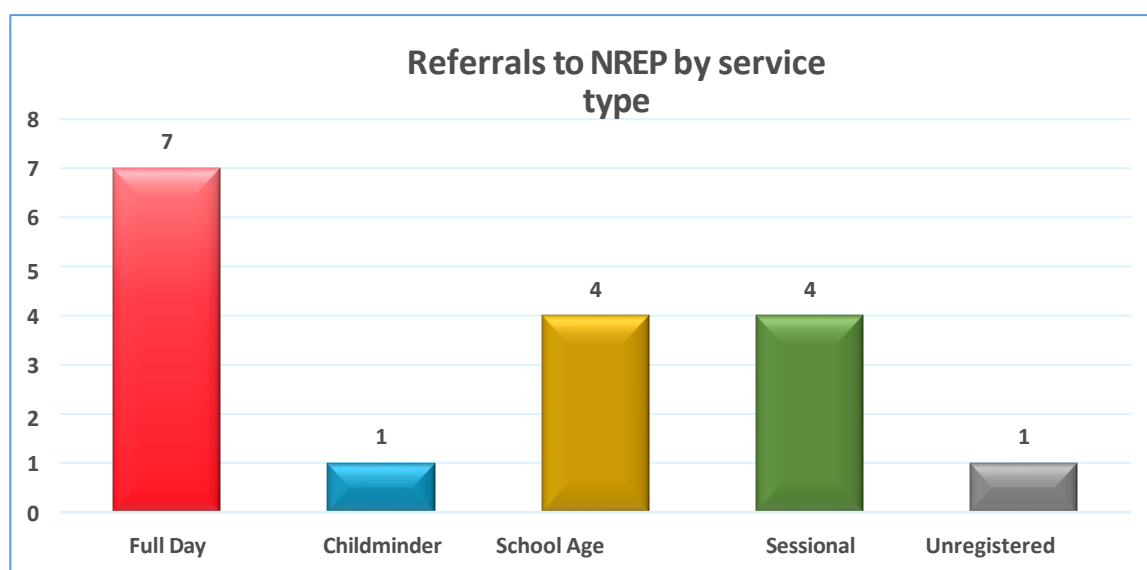


Table 6 Referrals to NREP by service type

7.3. Key Reasons for Referral to NREP

There are a range of reasons why services may be referred to NREP. In 2022 these included;

- **Persistent Non-Compliance**
- **Concerns and Notifiable Incidents**
- **Unregistered and School Age Services**
- **Operating Outside Registration Terms**
- **Governance and Oversight Failures**
- **Child Welfare and Safety Issues**
- **Policy and Record Failures**
- **Business Overreach**
- **Escalation from Other Panels**
- **Complaint Handling Failures**

7.4. National Registration Enforcement Panel Outcomes

The 17 services referred to the National Registration Enforcement Panel in 2022 all engaged with the process and resulted in very positive outcomes including avoidance of enforcement sanctions. 2 services had conditions attached to their registration

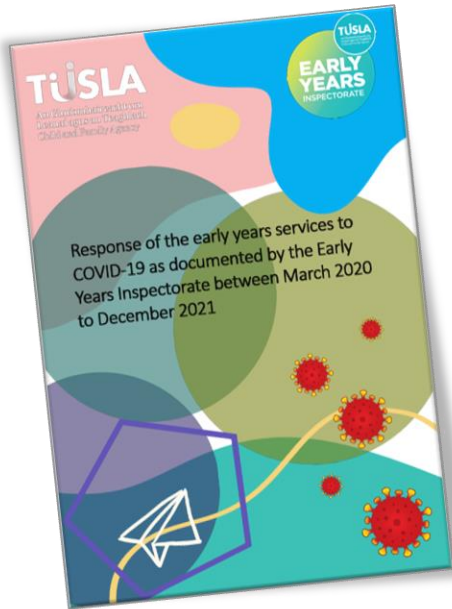


The previous trend of positive and proactive engagement between services and the Early Years Inspectorate has continued in 2022. There remains a good level of engagement from services considered for enforcement actions and this has consistently resulted in lower levels of sanctions. While no service 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

8. Response to Covid-19 Report

In 2021, Tusla's Early Years Inspectorate commissioned two reports to examine a) how early years services in Ireland responded to the challenges posed by the COVID-19 pandemic and b) how the early years inspectorate responded. The reports also referenced the response to the 2021 Cyber-attack. Authored by Dr. Sinéad Hanafin, the reports were published in 2022.



[Response of the early years services to COVID-19 as documented by the Early Years Inspectorate between March 2020 to December 2021](#)



[Response of the Early Years Inspectorate to the COVID-19 pandemic between March 2020 and December 2021](#)

8.5. Response of the Early Years Inspectorate

Published in 2022, the report provides an in-depth analysis of how the Inspectorate adapted to unprecedented challenges, including the global health crisis and a significant cyber-attack on Tusla's IT infrastructure. It highlights the Inspectorate's resilience, innovation, and commitment to supporting early years services while maintaining regulatory oversight and public health coordination.

8.5.1. Key Findings

Operational Adaptation

- Following the March 2020 closure of early years services, the Inspectorate transitioned to remote work, overcoming logistical challenges in equipping staff.
- A hybrid inspection model was introduced in June 2020, with documentation submitted in advance. Unannounced inspections resumed in October 2020.
- Workloads fluctuated, with many staff reporting increased demands, especially from mid-2020 onward.

Staff Redeployment and Expertise

- Inspectors with public health backgrounds were redeployed to frontline services and later applied their expertise to inspection protocols.
- By late 2021, over half of administrative staff reported significantly increased workloads.

Communication and Support

- The Inspectorate strengthened collaboration with agencies like DCEDIY and HPSC.
- Use of digital tools surged, with 93% of staff increasing online communication.
- A COVID-19 helpline and webinars provided real-time support, with 90% of inspectors finding the helpline helpful.

Technology and Process Improvements

- 79% of staff reported improved IT skills, and a 60% reduction in paperwork was achieved through automation and shared digital resources.

Cyber-Attack Response

- A May 2021 cyber-attack disrupted IT systems, but staff adapted using alternative methods to maintain service continuity.

Balancing Regulation and Public Health

- The Inspectorate navigated tensions between regulatory requirements and evolving health guidance, such as supporting pod systems without legislative backing.
- A surge in incident notifications required additional tracking and follow-up.

Registration and Provider Engagement

- Registration deadlines were extended, and documentation requirements streamlined.
- While initial provider responsiveness was high (94%), it declined by mid-2021, likely due to pandemic fatigue.

Lasting Impact

- The crisis fostered stronger relationships between the Inspectorate and providers, shifting perceptions from oversight to partnership.
- Digital innovations and inter-agency collaboration have strengthened the sector's resilience for future challenges.

Conclusion

The report highlights the Inspectorate's effective and flexible response to COVID-19. Through hybrid inspections, digital engagement, and targeted support, it helped early years services reopen safely while maintaining regulatory standards. These efforts have left a lasting, positive impact on Ireland's early years sector.

9. Conclusion

The Early Years Inspectorate Activity Report 2022 reflects a year of sustained regulatory delivery, operational refinement, and sectoral engagement. The Inspectorate continued to meet its statutory responsibilities in registration, inspection, and enforcement, while also responding to the evolving needs of the sector and addressing legacy challenges.

In 2022, the Inspectorate registered **4,074 pre-school services** and **2,350 school-age services** and approved **83 new pre-school** and **285 new school-age applications**. Notably, the year marked the continued implementation of inspections for some school age services, with **27 inspections** carried out under the relevant legislative framework. This development represents a significant step in extending regulatory oversight to these services.

A total of **2,480 inspections** of pre-school services were completed, with 100% of services identified as high-risk and those due under the three-year cycle inspected. These inspections were supported by the introduction of a new inspection tool and report template, as well as enhanced tracking systems to ensure timely and intelligence-led planning.

The Inspectorate also made substantial progress in addressing the residual registration renewals from 2019. At the start of 2022, **903 services** had not completed their renewal due to outstanding documentation, fire safety certification, or planning issues. Through targeted engagement and the implementation of streamlined legislative provisions, this number was reduced to **99** by year-end. While this represents a significant achievement, the remaining services continue to require focused support to reach full compliance.

Enforcement activity was proportionate and effective, with **17 services** referred to the National Registration Enforcement Panel. Most cases were resolved through constructive engagement, with only one service removed from the register due to non-compliance.

Sector support remained a priority, with the publication of guidance materials, hosting of **seven webinars**, and processing of **143 communications from parents**. Engagement with stakeholders also expanded, including strengthened collaboration with the Department of Education's Inspectorate and outreach to over **100 third-level institutions**.

The Inspectorate's response to the COVID-19 pandemic and the 2021 cyber-attack demonstrated resilience and adaptability. Hybrid inspection models, digital communication tools, and targeted support mechanisms enabled continuity of service and reinforced trust within the sector.

Overall, the Inspectorate's work in 2022 reflects a balanced and evidence-informed approach to regulation—one that upholds standards while supporting providers to deliver safe, high-quality services for children. The systems, relationships, and practices strengthened during the year provide a solid foundation for continued progress in 2023 and beyond.