



**Tusla, Mission and Values
Governance Structure**



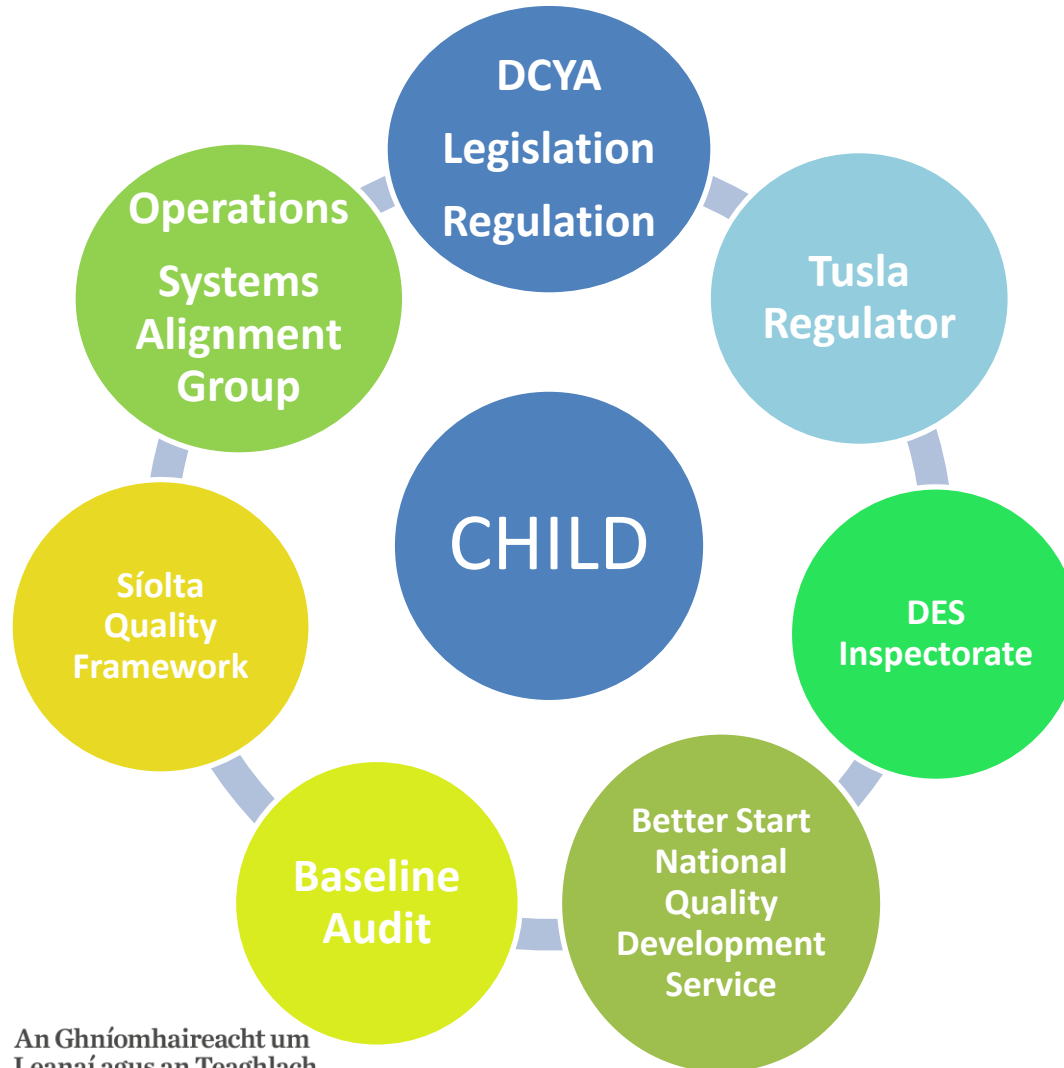
**Operational Activity (2015)
Principles of Inspection
Early Years Provider Survey**



**An Roinn Leanaí
agus Gnóthaí Óige
Department of
Children and Youth Affairs**

**Child Care Regulations 2016
Impact on New and Existing
Providers**

European Quality Framework



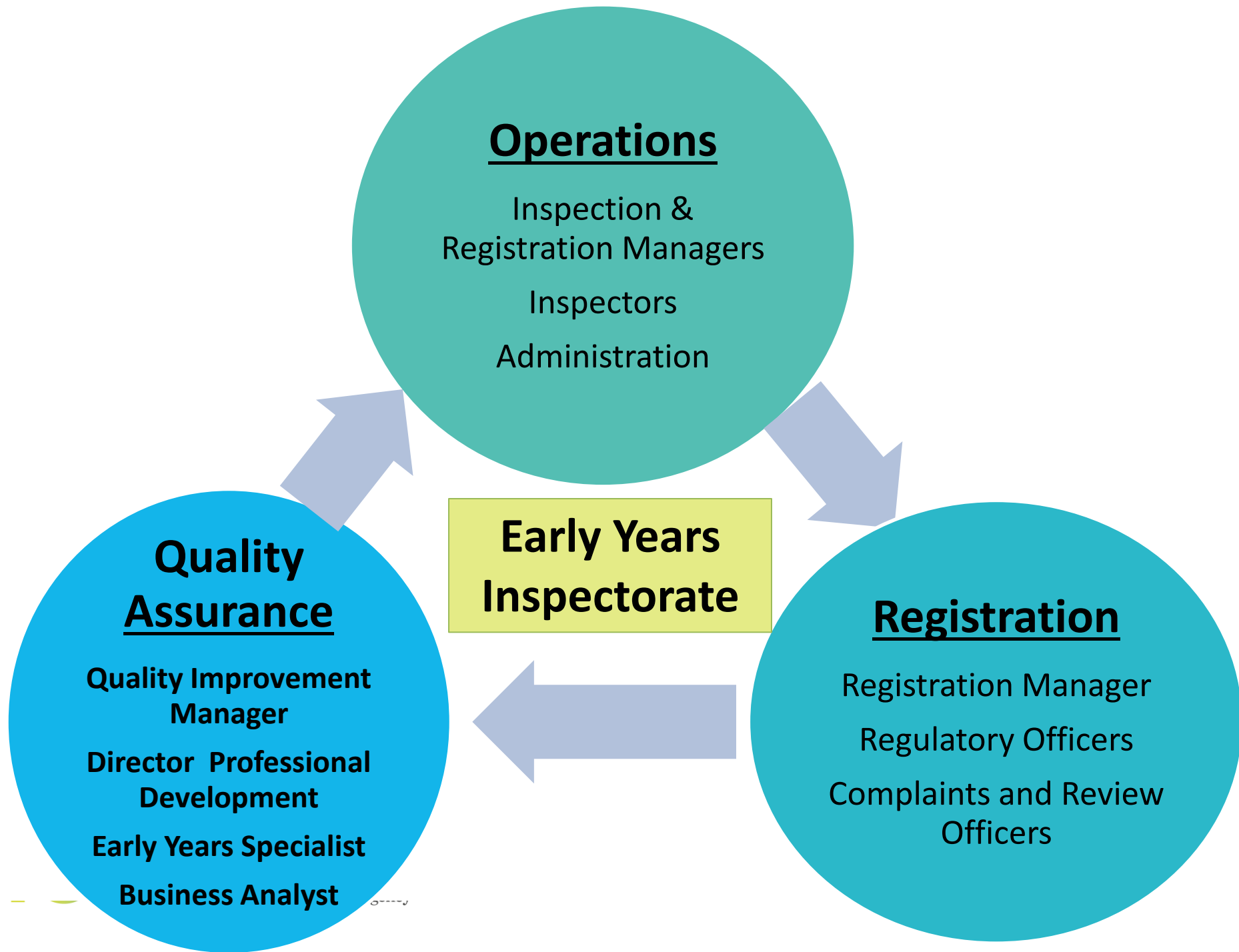
Tusla Child and Family Agency

Vision

**All children are
safe and achieving
their full potential.**

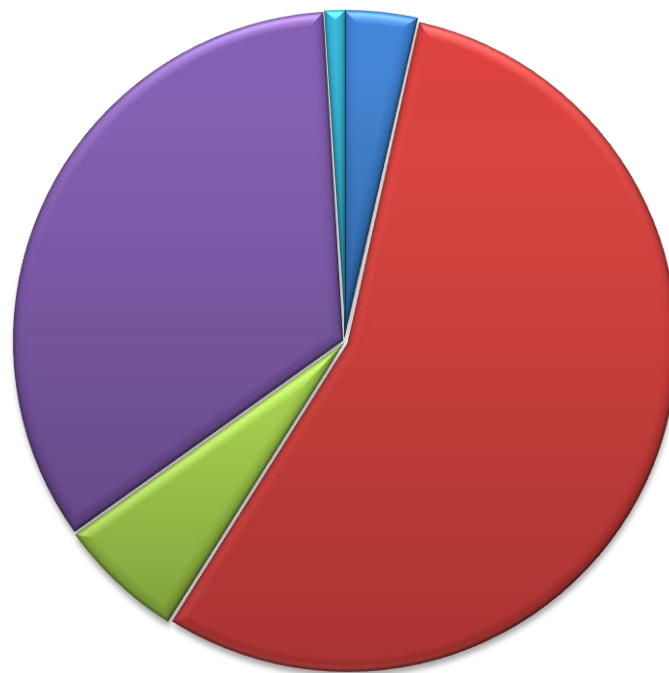
Mission

**With the child at the
centre, our mission is
to design and deliver
supportive, coordinated
and evidence-informed
services that strive
to ensure positive
outcomes for children.**

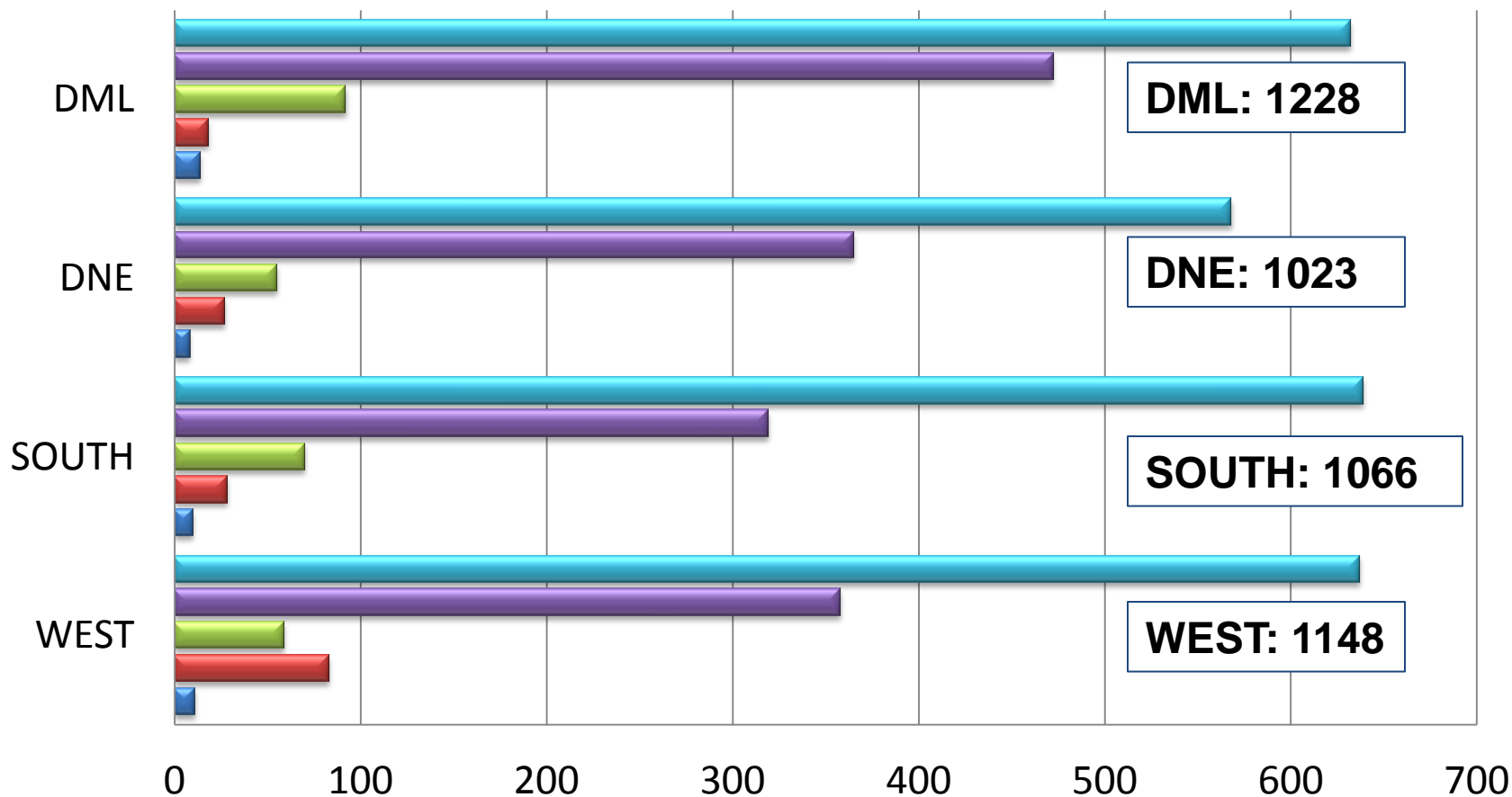


Type of Service Provision (2015)

Sessional:	55%
Full Day Care:	34%
Part Time:	6%
Childminder:	4%
Drop In:	1%



Service Type by Region



■ Sessional ■ Full Day Care ■ Part Time ■ Childminding ■ Drop In

Core Operational Activity 2015

Inspections:	2,302
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Complaint Investigation:	258
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Prosecutions:	2
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New Notifications:	137
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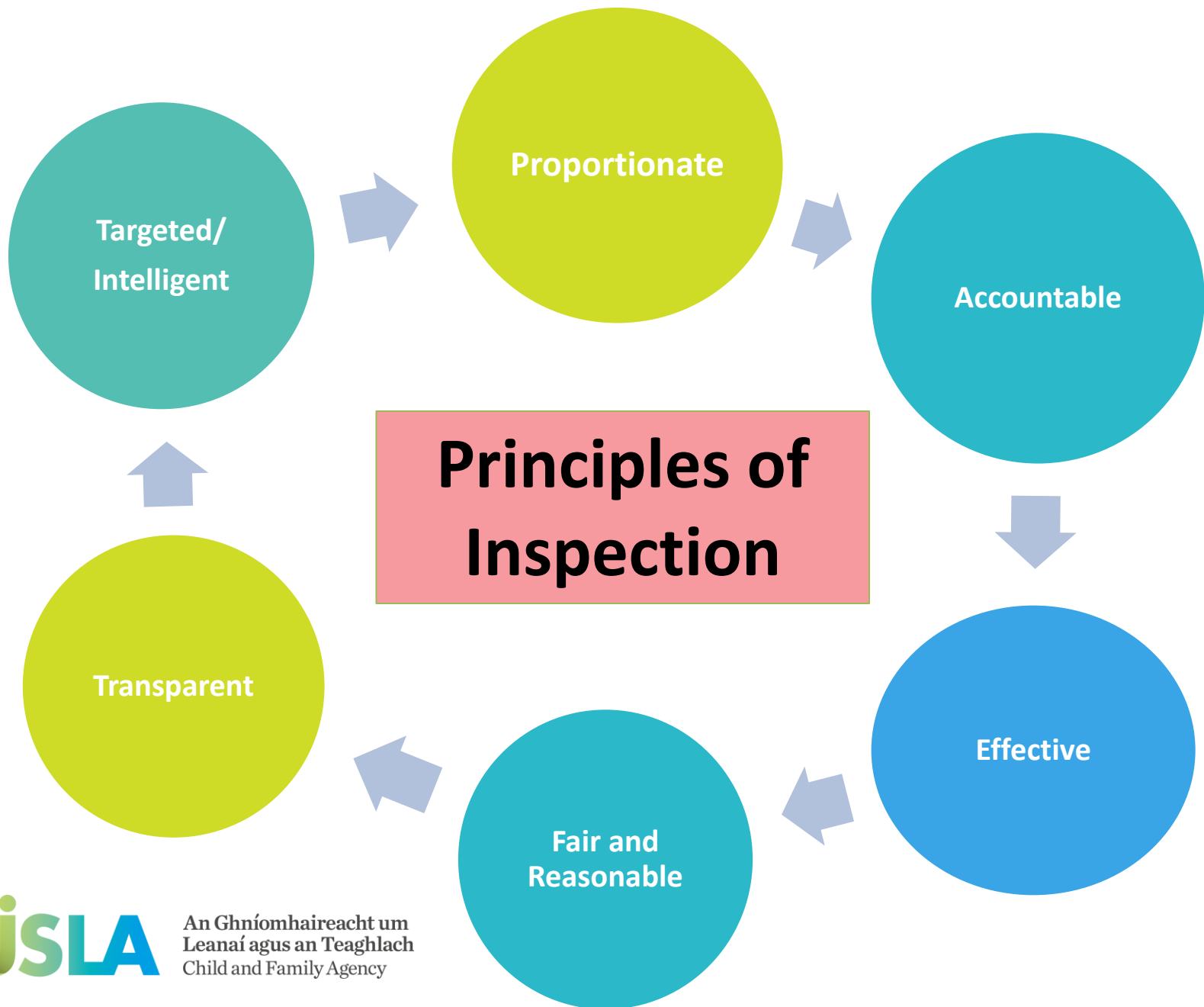
Operations and Provider Feedback



Survey Feedback Analysis

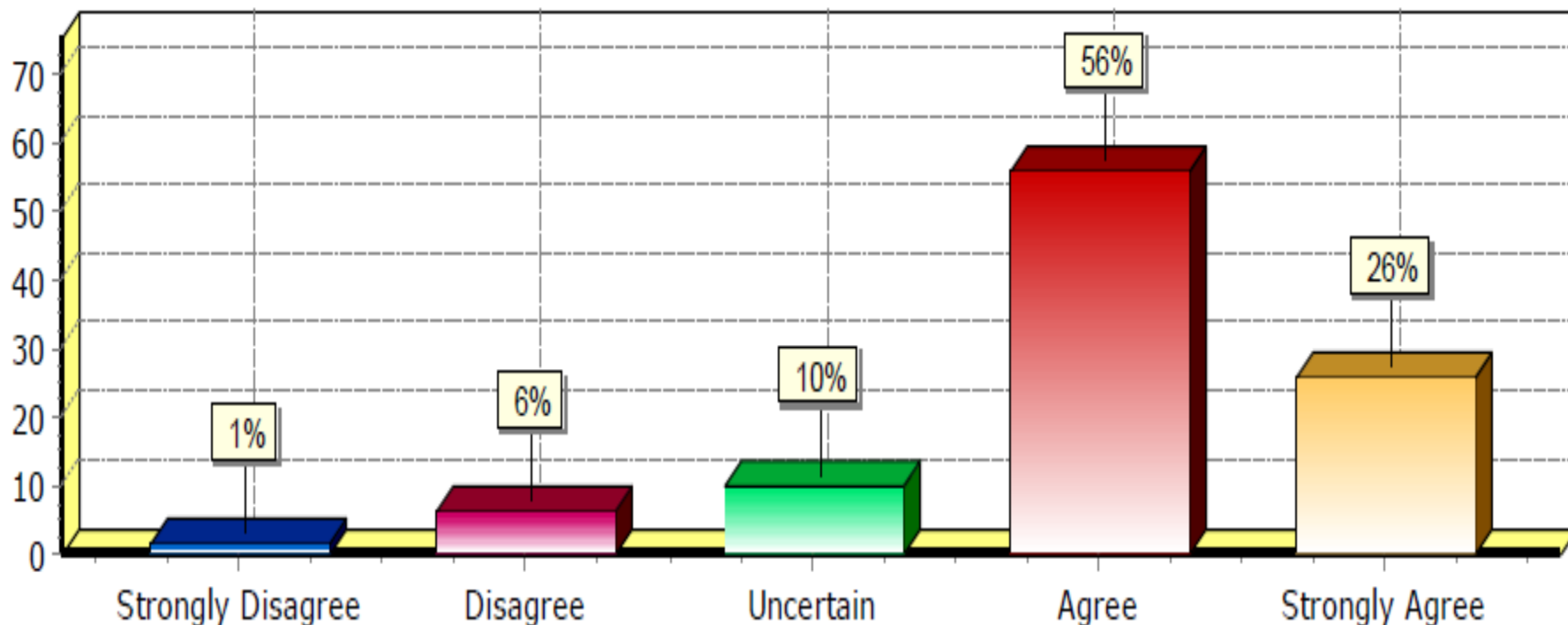
- 1399 online responses (> 30% of all services responded)
- Distribution of response
- Qualification and Professional experience
- Service Types
- Comments, Compliments and Concerns





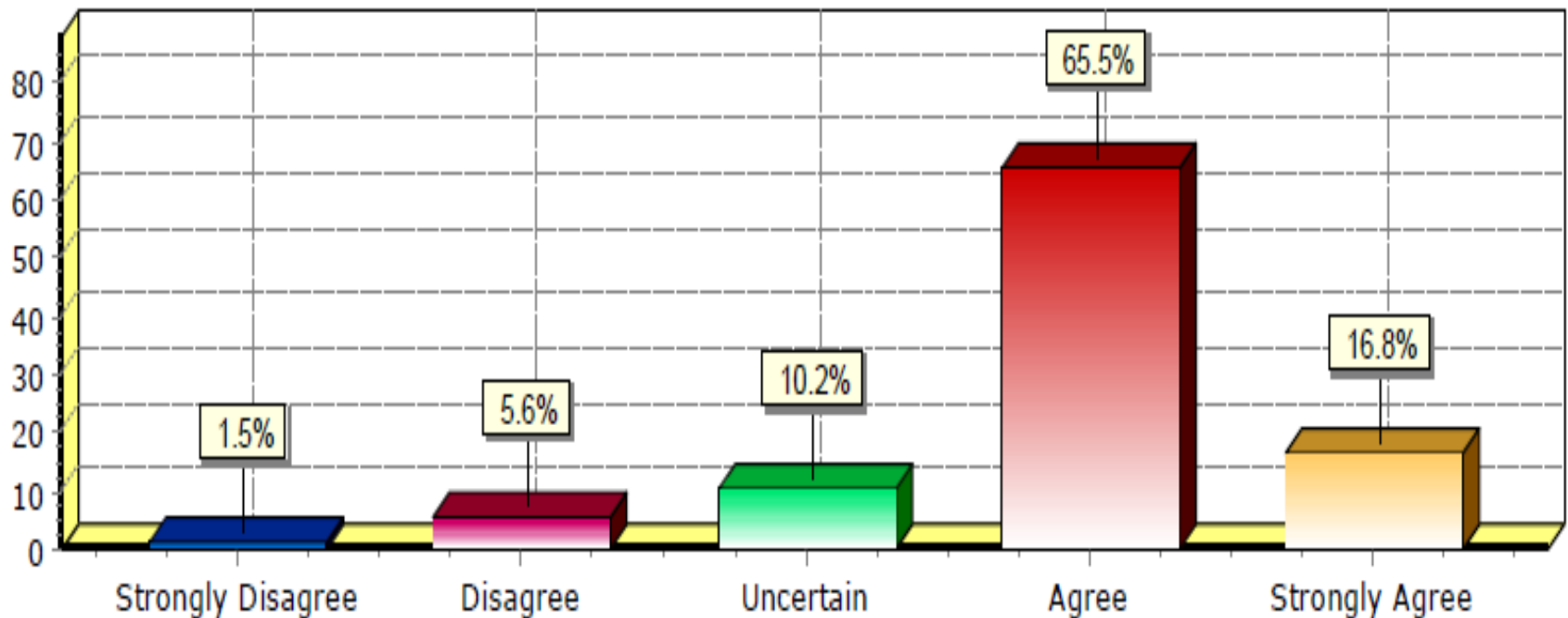
Proportionate

The Inspectorate's inspection process is rigorous and robust enough to ensure the quality and the safety of the service provided to children utilising the Services.



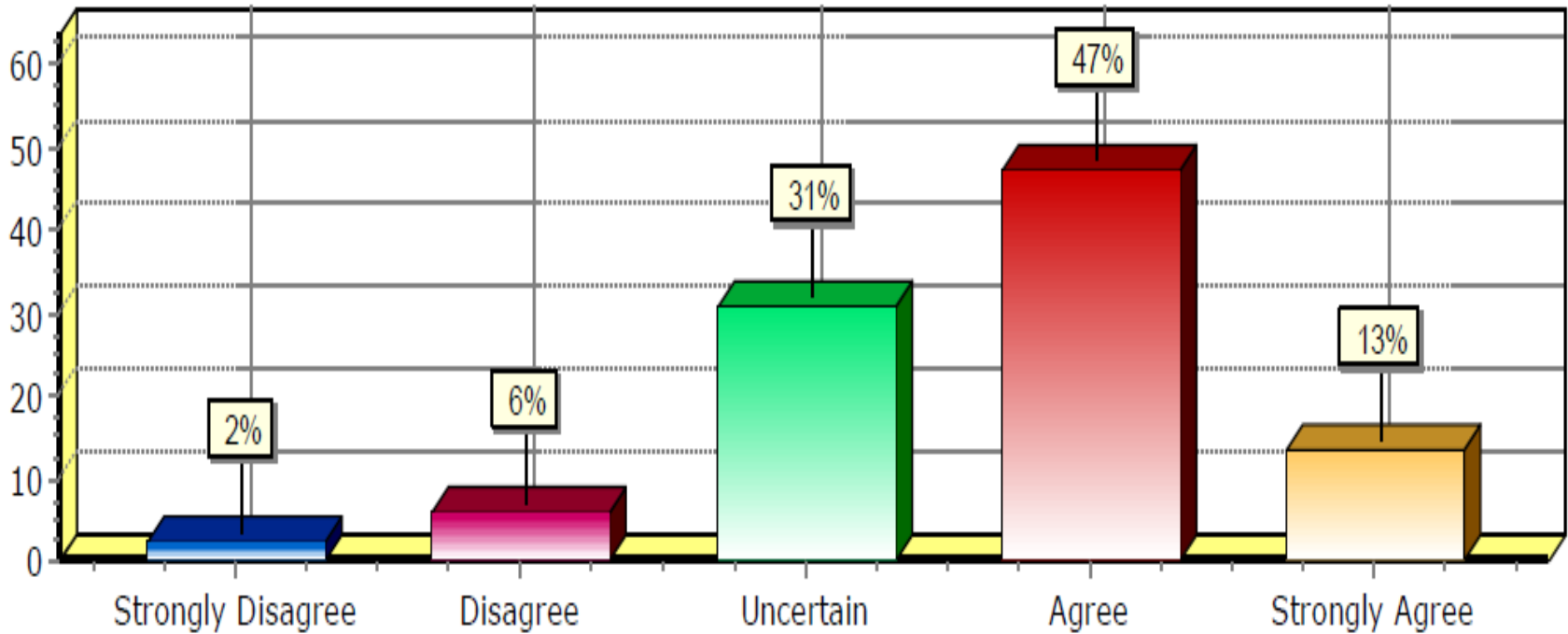
Accountable

It is clear to the Service how the Inspectorate has reached its findings as detailed within the Inspection Outcome Report.



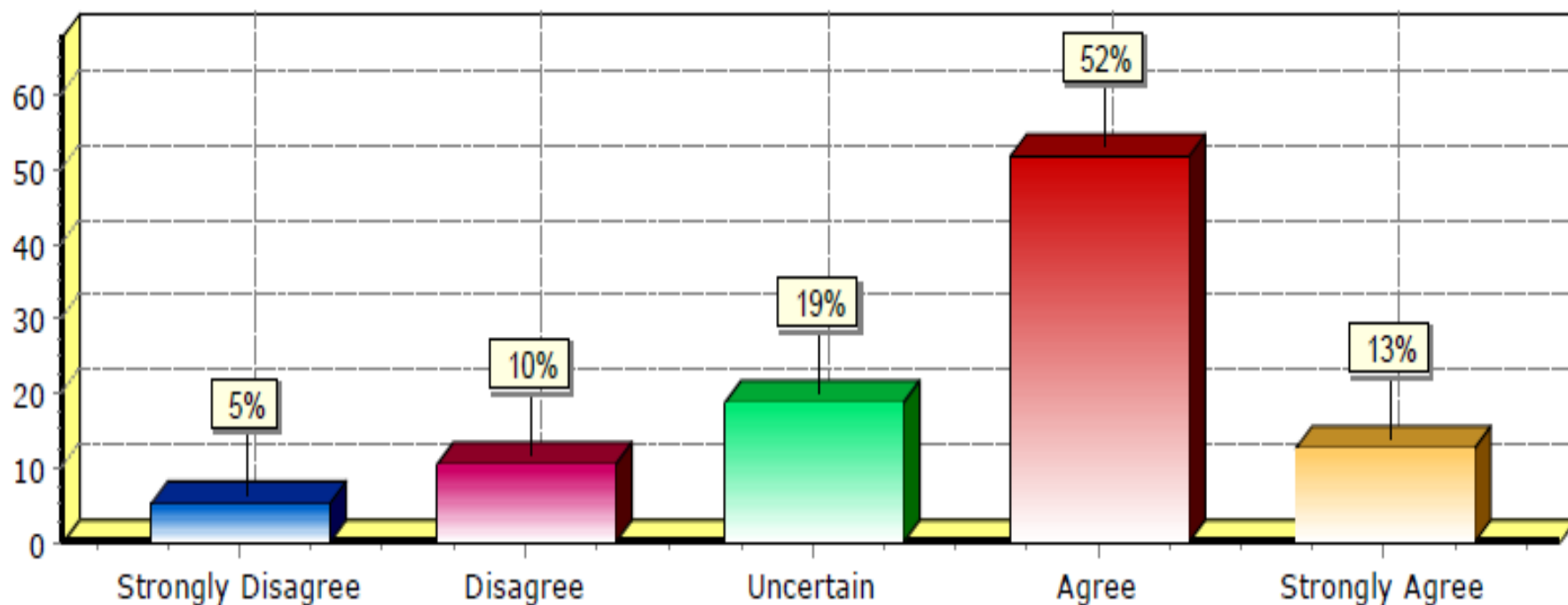
Effective

The Inspectorate is becoming more effective in its assessment of Services being provided via the inspection process



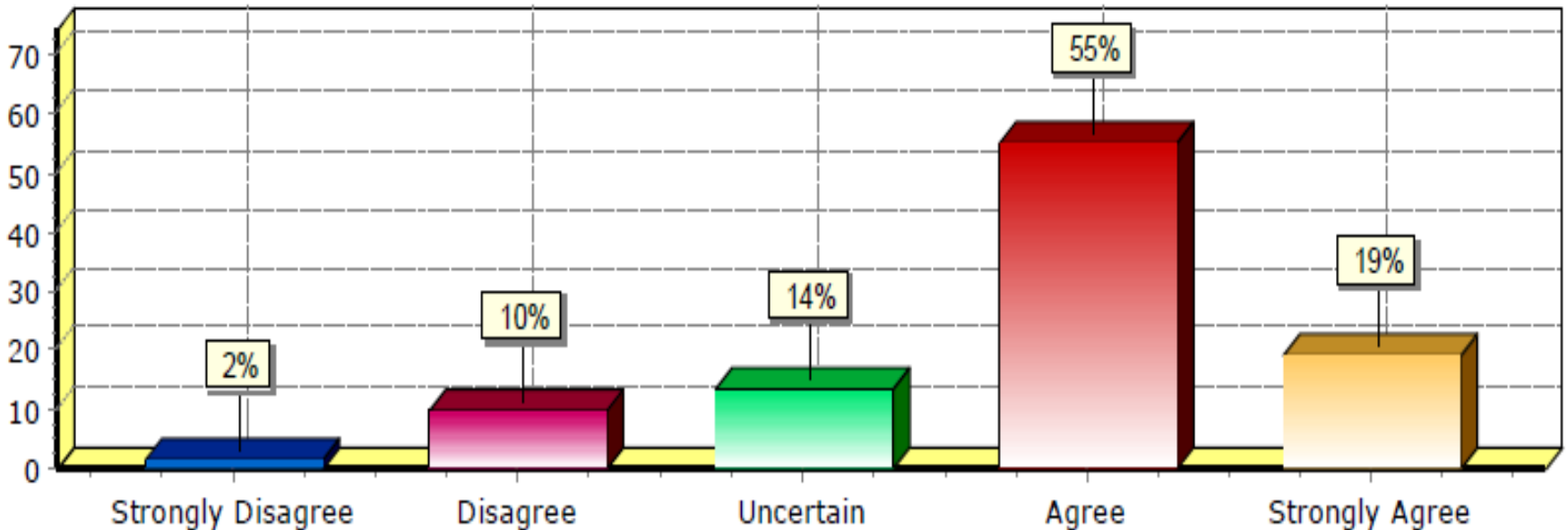
Fair and Reasonable

The assessment of the Service's compliance to the Regulations is applied consistently by the Inspectorate.



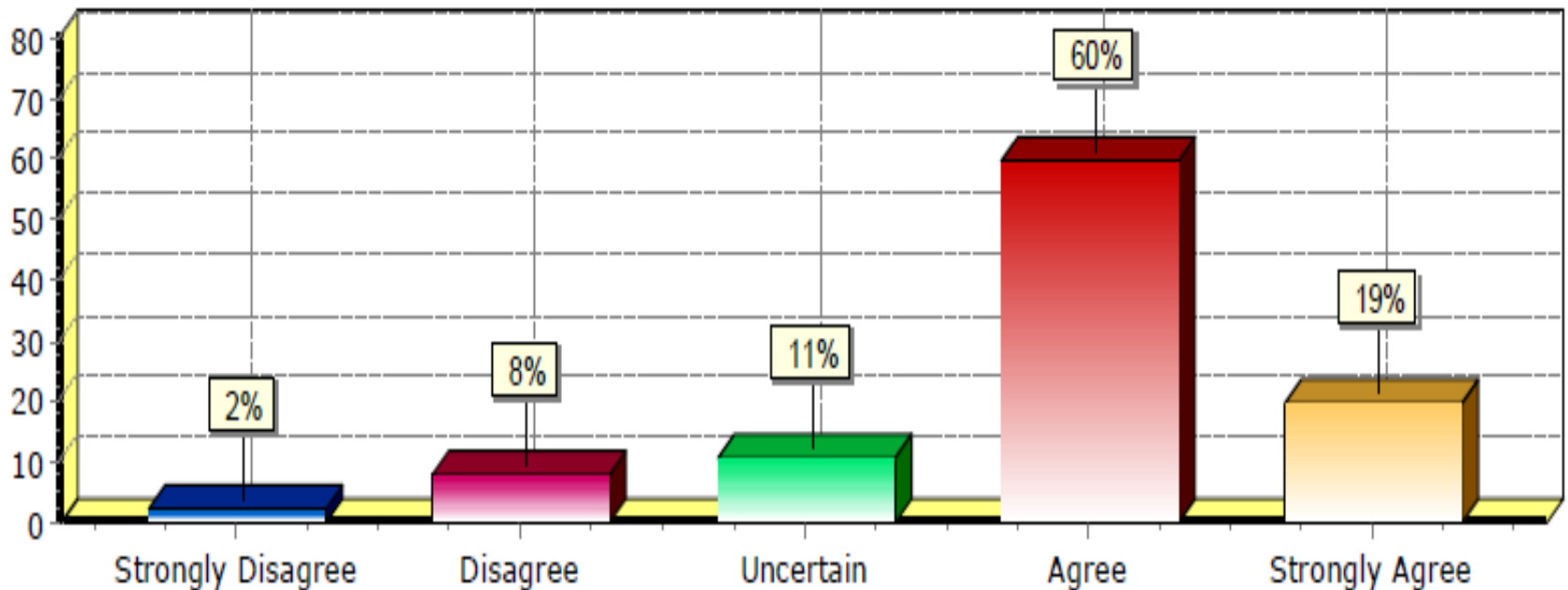
Transparent

There is clear, easy to access information available to the Service regarding the inspection process and non-compliance.



Targeted/Intelligent

The Inspectorate's inspection process is correctly focused. All areas of risk, that could impact on the quality and safety of the service provided to children, receive adequate review.



Questions

Legislation and Regulation Changes 2013 -2016



Regulatory Role

STATUTORY INSTRUMENTS.

Legislation Change

S.I. No. 221 of 2016

Regulation Change

CHILD CARE ACT 1991 (EARLY YEARS SERVICES) REGULATIONS
2016

Regulatory Roles

- Tusla is the Independent Statutory Regulator of Early Years Services
- Tusla is the largest Regulator of children's services in Ireland
- Our role is to promote the quality, safety and appropriate care of children by robust Inspection of the sector

Legislation Change

Child Care Act 1991 (Part VII)	Child & Family Agency Act 2013 (Part XII)
Power of regulation to then Health Board	Power of regulation to Tusla
Providers required to first notify and inspected later	Providers required to register and be approved to open
Regulations set by Minister	Regulations set by Minister but includes registration application process and sets minimal qualifications for staff
Enforcement through the courts	Tusla can attach conditions and or refuse to register or de-register
Provider only right of reply through court enforcement process	Provider has statutory right of reply to registration matters direct to Tusla
Definition of services limited to 0-6 year olds	Definition of service expanded to include school age service / after school.

Changes to the Regulations (2016)

- Requirements to Register
- Qualifications
- Supervision of staff
- Lists the policies and procedures and introduces an annual review of the service



Changes to the Regulations (2016)



- Notification to Agency of Incidents
- Outdoor Area
- First Aid for Children
- Complaints Procedure

Registration Process

New Services (30.06.2016)

1

- Registration form

2

- New services have an initial registration inspection visit

3

- Registration Panel decision

Registration Process (continued)

4

- Placed on Register/Certificate of Registration

5

- Full Inspection within 3 months

6

- Registration Panel confirms Registration Status

Questions

Re -Registration prior to June 30th 2016

Existing Providers

Article 58 E Transition Process

- Correspondence to all existing providers
- Required to return Statutory Declaration Form (SDF)
- Required to be returned before June 15th to remain registered with Tusla
- If SDF not returned service will be required to register as a new service and complete 2016 registration form and initial registration inspection to continue to operate

Existing Registered Providers

- New Inspection Tool to be introduced from June 30th 2016
- Reflects the new Regulations
- Focused on Regulations similar to the current focus which reflects research findings



STATUTORY INSTRUMENTS.

S.I. No. 221 of 2016

CHILD CARE ACT 1991 (EARLY YEARS SERVICES) REGULATIONS
2016



Existing Registered Providers

Process of Inspection



An Ghníomhaireacht um
Leanaí agus an Teaghlach
Child and Family Agency

Tusla

Inspection

Tusla &
Registered
providers

Opening & Closing Meeting

Registered
providers

Opportunity to address non-compliances

Tusla

Inspection Report Draft

Registered
providers

Factual Accuracy Sheet

Registered
providers

Response to non compliance issues
corrective and preventative actions returned

Tusla &
Registered
providers

Engagement until Tusla agree
corrective and preventative actions

Tusla

Registration Panel & Final report Issued

Tusla

Report Published

Tusla

Registration Continues



Existing Registered Providers

Escalation Steps



An Ghníomhaireacht um
Leanaí agus an Teaghlach
Child and Family Agency

Tusla Steps

Tusla

Option 1 : On inspection the registered provider is obliged to put immediate controls in place

Tusla

Option 2 : Registered Provider issued an Immediate Action Notice

Tusla

Option 3: Regulatory Compliance Meeting

Tusla

Option 4 : Escalate to Registration Panel

Tusla

Option 5 : Prosecution

Registered Provider Steps

Registered
Provider

Rectify serious non compliance

Registered
Provider

Registered with conditions or not registered
can be challenged

Registered
providers

21 days to make Representation to Tusla or Courts

Tusla &
Courts

Decision by Tusla or Courts implemented

Registered
providers

Follow up Inspections can be expected where
conditions are attached to Registration

Future Developments

- Quality Regulatory Framework
- Parental Questionnaires
- Increased engagement with staff and children in services
- Notification of Incidents centralised
- Unsolicited Information will be centralised
- Trends and findings from Inspections will be published more frequently
- All registered providers will be requested to complete the detailed registration form
- National Vetting Bureau Children and Vulnerable Persons Act (2012)



National Vetting Bureau Children & Vulnerable Persons Act 2012

2006 & 2016 Regulations:

- The Registered Provider ensures all staff are Garda Vetting & Police Vetted prior to commencement of employment or activity with children.

National Vetting Bureau Act, 2012

- From April 29th 2016 it is a criminal offence not to have Garda Vetting when working with children and vulnerable adults.

National Vetting Bureau cont..

Current Staff in Services

- If a person was in the service before April 29th and on Inspection there is no Garda vetting it will result in:
 - A non compliance on the Inspection report
 - conditions will be added to the Registration

National Vetting Bureau cont...

New Staff commenced after April 29th

If a person commenced work after April 29th 2016 and has no Garda Vetting on Inspection then Tusla will be asking the registered provider to remove them from the service until the Garda vetting disclosure is received to the Inspectorate.

Key Messages

- Existing providers must re-register before June 15th.
- Existing providers will continue to receive inspections similar to the existing format.
- New services who register for the first time will be required to complete a registration application and will receive an inspection prior to opening.
- Registered providers must ensure that all staff are Garda Vetted.
- Our goal is to ensure that all services are successfully registered please engage with the process.



Tusla, Mission and Values Governance Structure



Operational Activity (2015) Principles of Inspection Early Years Provider Survey



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