

TÚSLA

An Ghníomhaireacht um
Leanaí agus an Teaghlach
Child and Family Agency

EARLY YEARS

INSPECTORATE

When the Roof is the Sky:

**Guidance for the registration
and inspection of early years
services operating outdoors**

May 2023



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Foreword

I am delighted to introduce this guidance document for those Early Years Services who either already operate fully or mostly outdoors or are planning to do so. We very much welcome the increased focus on the use of outdoor environments in services across Ireland. This is a very positive development which further supports quality early years provision and experiences for young children.

We all know that play is essential for children, and the right for all children to play is enshrined in Article 31 of the UNCRC (1989). Creativity, curiosity and motivation arise naturally from play and learning in natural outdoor environments. We know that many service providers have been using their outdoor spaces very successfully to enhance children's play and learning opportunities. During the Covid 19 pandemic, we saw that many registered providers adapted their service provision to protect the health and safety of children by spending more time in the outdoor environment. This has resulted in an increase in the numbers of providers extending their programme to include the outdoors as a care and learning environment.

We know from research and best practice guidance that, as with the indoor learning environment, there should be a balance of child and adult-led activities in outdoor areas. The layout or design of the environment outdoors should support children to play alone and in small and large groups. Consideration should be given to the type and variety of equipment and materials in the outdoor environment, particularly those offering challenging opportunities to children. What is on offer should be age and developmentally appropriate. The environment should include a variety of natural materials which support children's holistic development and well-being.

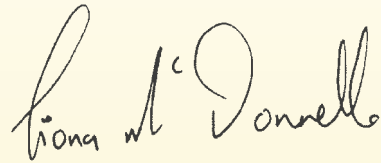


The primary purpose of this document is to provide guidance to those services operating fully or mostly outdoors on meeting the requirements as currently set out in the Early Years Service Regulations (2016) and/or Registration of School Age Services Regulations (2018). Later versions of this guidance will include more detailed information for those providers who are operating blended services.

We know, as early years professionals and from listening to children, that they love playing outdoors. We know from research that spending time playing outdoors provides many opportunities for children to explore and think, to be curious and participate actively in their play and learning, and we welcome and support this area of early years practice.

I would like to thank registered providers, sector stakeholder organisations, colleagues from across the inspectorate and the Scottish Care Inspectorate, who have contributed to the development of this guidance. We are committed to ensuring that the guidance remains as up to date and relevant as possible in an environment that is rapidly changing.

We will update this guidance on a regular basis and work hard to ensure it is as useful as possible to all those committed to making outdoor environments safe and happy places for children to, play, learn and develop.



Fiona McDonnell

National Service Director
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Quality and Regulation Directorate



Glossary of terms

Affordances: What the environment offers and provides to the individual child (Gibson, 2014).

Ambient: Comfortable and natural atmosphere and surroundings.

Blended service: Also known as hybrid or seamless provision, where children access both indoor and outdoor environments for sustained periods and children have free movement between the indoor and outdoor environments.

Boundary: A physical feature marking where the service begins and ends, and within which the children must stay. Boundaries can be material (walls, fences, ribbons) or symbolic (a tree or other marker), however the boundary must ensure that children are safe and secure while in the service.

Chemical toilet: A dry toilet that uses chemicals to treat human waste.

Compostable toilets: A dry toilet that treats human waste by a biological process called composting.

Early Years: Services for children inclusive of pre-school and school age care.

Hazard: A potential source of harm or adverse effect on a person or persons.

Outdoor Services: For the purpose of this document, outdoor services are pre-schools and school age care services who are operating wholly or substantially outdoors and where the outdoor area reflects the natural environment.

Portable: An item that can be easily and safely moved.

Potable: Drinking water that meets national standards for consumption.

Premises: The Early Years Service Regulations (2016) and Registration of School Age Services (2018) define “premises”, as including ‘a building or part of a building, and any out-offices, yard, garden or land appurtenant thereto or usually enjoyed therewith in which the service is being or is proposed to be carried on.’

Pre-school: Pre-school, play group, day nursery, crèche, day-care or other similar service which caters for pre-school children who have not attained the age of 6 years and who are not attending a recognised school.

Risks: The likelihood of harm, danger or of adverse effects if exposed to a [hazard](#).

Risk Benefit Analysis: A comparison between the potential risks of an activity or feature, and its potential benefits.

School Age Service: 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 when their parents are unavailable, and the basis for access to which is made publicly known to the parents and guardians of the children.

Stable: An object or structure that is firmly fixed and not likely to move or give way.

Structure: A building, object and/or temporary or permanent construction that has been made or built from parts, and with a particular purpose.

Shelter: A temporary or permanent place providing protection from the elements. A shelter should be fit for purpose and available in the event of various weather situations. Specific requirements for fire certification and planning for shelters should always be checked with the local authority.

Temporary: Not permanent, lasting for a limited period of time.



1 | Introduction

Article 31 of the UNCRC recognises the 'right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and arts' (UNCRC, 1989¹).

Given the multitude of affordances associated with outdoor play and opportunities for freedom, space and time, the Inspectorate encourages all services to reflect on how they use their outdoor space, and to take measures to ensure children have increased opportunities to spend time outdoors. The outdoor area should provide spaces for a variety of activities, spaces where children can be energetic, calm spaces, spaces to share, spaces to rest, to eat, storage spaces, transition spaces for suiting and booting, and spaces just to be.

The Quality and Regulatory Framework recognises that quality outdoor environments provide children with activities and opportunities for:

- fresh air
- discovery
- relaxing (e.g., a quiet area, a planting area)
- releasing energy (e.g., playing chase)
- physical exercise and play (e.g., jumping, climbing)
- exploring, engaging, and experimenting with nature (e.g., water, gardening)
- feelings associated with taking risks, learning about risk, and learning from risk, and challenging their own capabilities within safe limits.

1. <https://www.unicef.org.uk/what-we-do/un-convention-child-rights/>

1.1. Purpose and Structure of this document

[Early years services](#) are required to offer access to the outdoors on a daily basis under the 2016 and 2018 Regulations. We know that there are many providers who are currently operating their service fully or substantially outdoors. A more recent development within Ireland is a blended approach or seamless provision, where children access both indoor and outdoor environments but there is an emphasis on spending increased time in the outdoor environment. This document is primarily intended to offer guidance to those services who are planning to, or who currently operate fully or mostly outdoors, however we hope that all providers who are hoping to enhance their outdoor areas will benefit from engaging with this guidance document. Future versions will include more detailed information for those providers who are operating blended services.

Regardless of the approach to service provision being taken, all services are required to meet the legislative requirements as set out under the Childcare Act 1991. Details and support on how to meet regulatory compliance are outlined in the [Quality and Regulatory Framework \(QRF\)](#)² and the [QRF eLearning programme](#)³. This document is designed to complement the QRF and the two documents should be read in conjunction with each other.

This guidance document will provide early years services with additional guidance when operating or proposing to register a service which operates outdoors. The purpose of the document is to provide clarity on the requirements for outdoor services in relation to the Early Years Service Regulations (2016) and/or Registration of School Age Services Regulations (2018) as set out by Part 12 of the Child and Family Agency Act (2013).

Note: This document is Tusla’s Early Years Inspectorate’s interpretation of the requirements for outdoor services as set out in the Early Years Service Regulations (2016) and/or Registration of School Age Services Regulations (2018). These requirements are set out in regulation and/or based on evidence drawn from national and international research and literature related to outdoor service provision. The core requirements for outdoor services to comply with the Early Years and/or School Care Regulations are set out in this document.

Before you begin: Throughout the document, we use hyperlinks and bookmarks – some words or phrases underlined and in [blue text](#). The blue text is a hyperlink, and the same document can be accessed through the footnote. When reading on a screen, click on a hyperlink to bring you to further information on the topic in question – for example, it might link to the term in the Glossary of Terms. Or it might bring you to a website if your device has access to the internet. If you would like to search for a particular word or topic, you can do this using the search or the ‘find’ windowpane. Hold down the ‘Ctrl’ button and then click the ‘F’ key. Or you can go to your toolbar and click on ‘Edit’ and select the ‘Find’ option from the drop-down menu.

Layout.

The document is set out in 8 sections:

Section 1 - Introduction

This section sets out purpose of the document and presents Tusla Early Years Inspectorate’s position on the affordances in outdoor environment, approaches to risk and the involvement of parents.

Section 2 - Registration

This section deals with Registration processes and requirements and offers further guidance on Change in Circumstances applications.

2. <https://www.tusla.ie/services/preschool-services/early-years-quality-and-regulatory-framework/>

3. <https://www.tusla.ie/services/preschool-services/early-years-quality-and-regulatory-framework/quality-and-regulatory-framework-elearning-programme/>

Section 3 - Governance

This section includes information and guidance on training and knowledge required to operate an outdoor service, and staffing and supervision considerations are set out in this section.

Section 4 - Health, Welfare and Development

This section considers the requirements to ensure children's health, welfare and developmental needs are being met in an outdoor service. It discusses play, nappy changing and toileting, sleep and rest, equipment and materials, clothing and food provision.

Section 5 - Safety

A number of safety considerations are discussed in this section, including the use of tools, fire pits and ensuring that fire safety standards are maintained. It also offers guidance on managing accidents, injuries, insect stings, toxic substances, the administration of first aid, weather and lighting conditions.

Section 6 - Premises and Facilities

This section sets out guidance on premises and facilities, with respect to boundaries, space, shelter, heating, and sanitary accommodation.

Section 7 - Conclusion

Section 8: - Appendices

This includes a sample risk-benefit assessment tool and a list of resources.

Thematic areas of practice are set out in different sections throughout the document, but it is important that consideration is given to the full document overall. Many requirements have already been covered in detail in the Quality and Regulatory Framework, which presents how the Inspectorate will assess services for compliance with the regulations. These two documents aim to promote the quality

and safety of services provided to children, whether they are attending indoor or outdoor services.

1.2. Managing Risks in Outdoor Provision

Research has shown when children learn, they move from what is familiar to something less certain, more challenging, and typically more interesting (Gill et al 2012).⁴ When children are learning through play and child-initiated and child-led learning activities in outdoor surroundings, this movement is especially pronounced and effective. Play researchers tell us that adults often underestimate children's ability to manage risk in their play and learning. We also know that when children are given increased freedom in their play and learning, they can make mistakes, and this can lead to accidents. However, it is recognised by researchers such as Tim Gill that while there are risks, there are also significant benefits and outdoor environments can be safe places for children to play and learn. E.B. Sandseter's [research](#)⁵ into levels of injuries in Norwegian outdoor early years services found that injuries are rare, and most were minor and did not require a follow-up from professional medical personnel. Moderate and severe injuries were very rare and are often the result of mishaps.

Providers must ensure that risks in any learning environment are appropriate for the children attending the service, taking into consideration their age and stage of development, their care needs and their own preferences and choices. Tusla's Early Years Inspectorate welcomes the approach of many providers of outdoor services who take a positive approach to managing risk. This positive and balanced approach to risk is built on the principles that; outdoor play is vitally important for children's holistic well-being and development; the goal

4. <https://dera.ioe.ac.uk/8625/1/00942-2008DOM-EN.pdf>

5. https://www.researchgate.net/publication/313481413_Injuries_in_Norwegian_Early_Childhood_and_Care_ECEC_Institutions

for providing outdoor experiences and opportunities for children is not to eliminate all risks; a balanced approach to weighing up the risks and benefits of play and learning opportunities in the outdoors allows for the management of real risks and hazards in the outdoor environment, while not constraining or restricting the child's play and learning experiences and opportunities.

'Managing risk is a balancing act between opportunities for learning and play, and safety – or put it another way, between risks and benefits'

(Gill 2016).⁶

International evidence and best practice such as that supported by the Scottish Care Inspectorate, Play England, and Play Scotland helps us understand that taking a more balanced approach to risk means moving away from a deficit model that takes a risk-averse approach to play and learning in the outdoors, and towards a more holistic risk-benefit model. A risk-benefit approach promotes a balance between safety, risk, and challenge in outdoor play and learning environments and helps to create a supportive environment where young children can play freely and safely in the outdoors. Risk benefit assessment approaches work best when staff in services know each child as an individual. This means that staff can support all children to access the outdoor environment safely, and children are reassured that most activities and features in the environment are within their capabilities, but some will challenge them to develop their physical skills and confidence further. Providers and staff should include children in the risk-benefit assessment process, as this can empower them to make safe choices and decisions in their play and learning environments.

To support a positive approach to balancing risks and benefits, the Inspectorate have developed a sample Risk Benefit Assessment template (Appendix 1) which services can adapt and use to assess and balance both the risks and benefits of activities

and features in their outdoor environment. Additionally, throughout this document, we will be sharing information on balancing risks with safety considerations across all aspects of operating outdoors. We will also be pointing to the responsibility of service providers to ensure that all reasonable measures are taken to protect the health, safety and welfare of children when providing an environment indoors and outdoors, where each child can play, learn and develop to the best of their potential.

1.3. Engagement with parents and guardians

Ongoing engagement with parents and guardians is essential to the success of any early years service. In an outdoor service, it is crucial that parents understand and are supportive of the ethos of the service and the approach to play and learning being facilitated. Working in partnership with parents will mean that parents have a greater understanding of their child's learning and development within the service and that children feel a greater sense of security and belonging. Examples of partnership with parents in practice might be to:

- Invite parents to spend time in the outdoor environment to share in their children's service and get a better understanding of the service in action.
- Share information with parents about the benefits of outdoor provision, and risky and adventurous play, before their children commence in the service, and while they attend.
- Share resources that deepen parents' understanding of an outdoors approach and aid them to support their child's continued enjoyment of, and opportunities to spend time outdoors when at home.

6. Gill, Tim 2016: Balancing risks and benefits in outdoor learning and play – Outdoor Classroom Day UK & Ireland

2 | Registration

2.1. Registering an Outdoor Early Years Service

Application for registration of an early years service is prescribed in legislation. Prospective service providers need to complete the registration application process before any children can attend. It is a legal requirement for all services proposing to operate to submit an application under section 58D (2) of The Child and Family Agency Act 2013, at least 3 months before it is intended to commence operation, or 21 days before it is proposed to operate a temporary service.

As with all applications, a potential provider intending to operate their early years service outdoors may apply to Tusla's Early Years Inspectorate through the [registration application portal](#) to register and operate their proposed service. Services that operate outdoors must meet prescribed fire and planning requirements and as such, individuals proposing to operate a service outdoors are required to contact their local [authority planning and fire](#)⁷ departments to determine their requirements in relation to these and must adhere to any conditions attached to the grant of planning, or fire safety certification. Outdoor service providers must submit a 'compliance on completion [certificate](#)'⁸ from a competent person that includes specific reference to the provision of an outdoor-based service. As with all pre-school registration applications, when all required documentation is received the next part of the pre-approval process will be a 'Fit for Purpose Inspection'.

Further requirements include:

- For registration purposes, outdoor service providers are responsible for defining the boundary of the premises, particularly when in a forest/ rural area. A drawing/ map of the outdoor area that identifies the boundaries, and each of the onsite structures is required. This drawing should identify any potential areas of risk such as water, forest, public areas etc. If a preschool registration application proceeds to a Fit for Purpose Inspection, the applicant will be asked to demonstrate how they intend to manage these risks.
- All outdoor services should have one or more structures for shelter, and there must be access to suitable and adequate sanitary accommodation onsite. All temporary and permanent structures must be fit for purpose. See [Section 6.3](#) for more information on space requirements.
- Providers must also provide floor plans for any structure (s) onsite. This plan should set out each room (if more than one in the structure) and should specify the dimensions of the structure. The purpose of the structure should be clearly stated in the plan (e.g., sanitary block, shelter).
- There must be access to power, lighting, water, and sewage onsite prior to a Fit for Purpose inspection taking place.
- As with all services, outdoor services are required to provide access to hot/warm and cold running water for handwashing and sanitary purposes. Potable drinking water must be available.

7. https://www.tusla.ie/uploads/content/Fire_and_Planning_Requirements_for_Early_Years_Services_-ReRegistration_final.pdf

8. <https://www.tusla.ie/services/preschool-services/elearning-webinars-and-resources/resources/>

- Suitable facilities to meet the requirements regarding the storage, preparation and/or cooking of food needs to be considered. Where food is provided by the service, the local Environmental Health Officer must be contacted to determine relevant requirements in relation to food provision.
- Evidence of adequate insurance to operate must be provided.

As with all service types, the Statement of Purpose and Function is required at registration. This is a key document for assessment by both registration and operations functions. It is first assessed by the Registration Office to ensure that it is suitable to the specific type of application. For pre-school applications, it may then be reviewed at the Fit for Purpose inspection and subsequent inspections to ensure it is consistent with the outdoor service being provided. The service's Safety Statement must reflect the type of service provision and how the service provider intends to respond to any risks or hazards identified as a result.

2.2. Change in Circumstances Application

An existing pre-school service may submit a Change in Circumstances application to operate outdoors as an extension of their current indoor service provision. The Fit for Purpose inspections will also consider any potentially negative impacts on the indoor service. The Safety Statement of the service must reflect any potential risks from shared spaces and any negative impacts on the existing service should be detailed. For pre-school applications, this will be assessed further in the Fit for Purpose Inspection. The following specific criteria will also be taken into consideration:

- Adequate clear floor space requirements for all children attending the service are in place.
- There is provision of sufficient sanitary, 'suiting and booting', shelter, rest, and dining facilities.
- Any potential impacts on outdoor play for the existing service provision

While there are no current regulatory space requirements for outdoor areas, there are clear space requirements for rest/ play activities that will apply. The provider must show how the indoor and outdoor services can run concurrently without either service negatively impacting on the space or the facilities (such as sanitary and sleep facilities) available to children in the other. See 6.3 for more information on space requirements.



3 | Governance

3.1. Training and knowledge base required to operate an outdoor service

Registered providers must develop, implement, and review policies, procedures and statements which are tailored to their service type. Policies and procedures will standardise the service's approach to implementing best practice and ensuring compliance with the regulations. All services must review the quality and safety of care provision at least once a year. The review is a formal assessment of the service, including its policies, procedures, and statements, with the intention of making changes if necessary.

Sample policies and templates are available [here](#)⁹ alongside a [guide](#)¹⁰ to developing policies, procedures and statements.

Training and ongoing supervision are required to ensure that policies and procedures relevant to the operation of an outdoor service are understood and adhered to. Consideration should be given to whether equipping staff with skill sets, or training would enhance service provision. Induction should include familiarisation with the layout of the service, the abilities and needs of the children attending, and risk management processes in place.

Registered providers must ensure all staff members are clear on their roles and responsibilities with regards to providing quality outdoor play opportunities and experiences for the children who attend the service, and any safety requirements

associated with their roles. Staff require clear guidance on their roles and responsibilities in curriculum planning, and in ensuring that the children are appropriately supervised, supported, and engaged with, while in the service.

Recruitment processes should strive to ensure that staff are suitable and competent, taking into consideration the needs of the children and the environment in which the service is operating.

3.2. Staffing and supervision requirements

Service providers must ensure that an adequate number of staff are available at all times to meet the needs of the children attending. Roster planning must ensure that adequate staffing levels are in place with consideration of the needs of children attending, the activities they will engage in and the layout and supervision requirements of the premises and the group.

When establishing appropriate staffing levels, factors such as layout, proximity of toilets, opportunities for risky and adventurous play, and the needs of all children in the service should be factored in. While all services must ensure adherence to minimum ratios of adults to children it may be necessary for the person in charge to ensure additional adults are working with the children depending on the premises, layout, boundaries, entries and exits, activities and the needs of children in the service.

9. <https://www.tusla.ie/services/preschool-services/early-years-quality-and-regulatory-framework/sample-policies-and-templates/>

10. https://www.tusla.ie/uploads/content/4572-TUSLA_QRF_POLICY_PROCEDURES_LR.pdf

Supervision of children by sight and sound is a requirement in all early years services. As stated earlier, outdoor services can be safe environments, and we know that many providers are operating with more favourable adult-child ratios. Lower adult-child ratios provide for more active supervision that enhances staff ability to recognise and respond to risk. Requirements for active supervision may be more pronounced in outdoor services where children are involved in more active, risky play and at times such as when new children are transitioning into the service and becoming familiar with the boundaries set by the service. The positioning of staff needs to be considered to enable them to observe, engage, and respond where needed. Staff knowledge of the layout and which areas present more challenge to children will influence the positioning of staff in the outdoors. In some services or during certain activities, and depending on the outcome of a risk assessment, it may be appropriate to consider assigning some adults to supervision and other adults to play and conversation. For services who are operating a blended programme where children are moving freely between the indoor and outdoor environments, consideration must be given to the supervision of children. Staff should always be aware of the location of children and have a system of monitoring children as they move. When children are free to move between environments, supervision is required in both environments. A specific protocol setting out measures to ensure the safe movement of children and detailing the role and responsibilities of staff in relation to this is recommended.

It is recognised that early years services should offer children places they can go to be alone. It is important also to balance the need for close supervision with respect for children's agency and developing independence. While being mindful of these factors, it is important that staff actively supervise the children in their care — even when they are in spaces designed for quiet time, retreat from the group, or wish to play independently. Active, direct supervision involves staff also using their knowledge of each child's abilities to anticipate what might happen and get involved where needed.

Communication and collaboration between team members is crucial to ensure that children are safely supervised. An ongoing awareness of the location of colleagues and other children is important, for example if a child is transferring into the care of another staff member, when staff or children are leaving an area, or when children are moving freely between the indoor and outdoor environments.

A risk-benefit assessment should be carried out to plan for appropriate supervision in the outdoor space considering factors such as the age, stage and needs of the children including toileting, the physical boundary in place, staffing and supervision levels, and weather.

Further [guidance](#)¹¹ is provided within 'Section 2; Safety' in the Quality and Regulatory Framework regarding Regulation 27 – Supervision.

11. <https://www.tusla.ie/services/preschool-services/early-years-quality-and-regulatory-framework/>

4 | Health Welfare and Development

Ensuring children’s comfort and meeting their individual care and learning needs in the outdoors is the responsibility of the registered provider. It is important to consider the type of activities and opportunities that are afforded by the outdoors environment and to ensure that there is adequate equipment, materials and space for children to enjoy and engage in their play safely.

It is ultimately the responsibility of the registered provider to provide appropriate safe space to meet the needs of the number and age range of the children accessing the service and the play activities being provided to meet their holistic development (see also Section 6.3 for more on space requirements).

As with the indoor learning environment, interest areas which support children’s play, curiosity and learning should be incorporated in the outdoor early care and learning environment. The layout or design of the environment outdoors should support children to play alone and in small and large groups. Comfortable equipped spaces for children and adults to sit and relax should be provided where positive interactions and relationships are supported.

4.1. Inclusive Practice

Outdoor early years environments must strive to create spaces that are inclusive and welcoming to all children. It is possible to create outdoor areas and spaces that provide all children, regardless of their ability, with opportunities to engage with the natural environment. Some children may require firmer surfaces such as grass or decking if they use a wheelchair, however, registered providers should plan the environment thoughtfully so that every child feels included, rather than having separated areas for some children. Providers should ensure that pathways and walkways are accessible and have manageable gradients for all children. By creating different levels within the outdoor environment, all children including those with physical needs or in wheelchairs can access the natural environment easily. The provision of quiet areas is important for children with sensory or hearing needs. Working with the elements already in the environment and enhancing these with planting, smells, shade, light, texture, and colour can support children’s sensory needs.

4.2. Opportunities for Risky and Adventurous Play

It is recognised that play for children in the outdoors provides unique opportunities for challenging play, often referred to as ‘risky play’ or ‘thrilling play’. Risky, adventurous, and challenging play should always be supported and promoted except where the risk assessment process identifies issues that cannot be safely managed. While the risk assessment process will identify risks and hazards, the environment needs to provide

5. Ball, H., (2021). *Provision of sleep arrangements for children under 2 years in day-care settings*, (In communication with Tusla).

a varying level of risk for all children based on their age, stage of development, choices, and preferences, and this cannot be risk-free. Risky play is associated in the literature with a greater sense of wellbeing arising from a sense of mastery, growing self-confidence and independence and outdoor play is recognised for the opportunities for risky play and physical development in a way that an indoor environment cannot afford.

Sandseter (2021) identified seven categories of risky play including play with heights, speed, rough and tumble, dangerous tools, dangerous elements/locations, play where children are out of the sight of adults, and vicarious play when children are watching other children engage in thrilling play activities. Judgement, skills to support risk-taking, feelings of joy, happiness, and success are key affordances of an outdoor play pedagogical approach for early years children.

4.3. Nappy Changing and Toileting

For pre-school services, the requirements for nappy changing and toileting as set out by the Early Years Service Regulations (2016) remain the same for outdoor services. There must be adequate and suitable sanitary facilities and nappy changing facilities for children. The requirement is that one nappy changing station is available for every 11 children in nappies. The nappy changing area must provide for each child's privacy and dignity. For services operating outdoors, the registered provider must ensure children's comfort, particularly during cold weather. The sanitary and/or nappy changing area should be warm enough for children to have their nappies changed, or items of clothing removed and adjusted in a comfortable temperature. Providers must take all reasonable measures to ensure that children are not cold or uncomfortable during this time.

Occasionally, children may need to or choose to go the toilet outdoors. If this happens, common sense should prevail:

- Children should always be directed to and encouraged to use the onsite toilet in the first instance.

- The service must be mindful of the environmental and infection control implications if a child does go to the toilet outdoors. A Leave No Trace approach should be encouraged.
- Toileting outdoors may impact on children's privacy and dignity, and that of adults.
- If a child does go to the toilet outdoors, follow best hygiene and infection control practices to deal with the issue. Reassure the child and remind them that when there are a lot of children sharing the space, it is best to use the onsite toilet.

4.4. Accommodating children's sleep and rest needs outdoors

Children accessing a preschool service operating outdoors must be provided with suitable facilities that support their individual needs for sleep and rest. The sleep / rest area should be comfortable, sheltered, and conducive for rest and sleep. Sleep provision must be in line with Tusla requirements in relation to the use of cots/floor beds/mats for particular age groups, as set out in the Tusla guidance for sleep provision. Due consideration must be given to the type of bedding, acceptable shelter types, weather related restrictions on sleeping outdoors, suitable outdoor clothing, storage and laundry, and drying of bedding. When children are sleeping outdoors, mats and mattresses must be waterproof and easily cleaned.

Sleeping children must be supervised at all times. Appropriate staffing levels are required to ensure that this is in place. The sleep area should be shaded to support children to sleep comfortably. Attention should be given to ensuring that bright light can be blocked out and children do not sleep in direct sunlight. There must be a way of controlling air temperature so that it does not exceed 20°C to ensure children are not overheating or becoming unreasonably cold when temperatures drop. Providers must take all reasonable measures to ensure sleeping children are not cold or uncomfortable.

The [HSE¹²](#) advise that the negative health effects of cold weather start at temperatures of 4-8°C (39 - 46°F) or below, therefore children should not sleep outdoors when the ambient air temperatures reach these levels, even in insulated clothing and bedding.

The service's safe sleep policy should be reflective of best practice in outdoor sleeping arrangements. Procedures should include a suitable sleep check template that identifies circumstances when sleep should not occur outdoors e.g., extreme hot/cold temperatures, storms/ rain, and wind.

The suitability of hammocks for older children is under active consideration by the inspectorate.

4.5. Equipment and Materials

The registered provider should ensure there are sufficient materials and resources available to support children's learning and development when outdoors. There should be an emphasis on the provision of natural/ recyclable play, learning and creative materials. For example, wood, stone, mud, trees, logs, puddles, planting, digging areas, hills, tunnels, mud kitchen, music areas, and creative spaces. Equipment and materials in the outdoor environment should include a variety of natural and/or artificial materials which support children's holistic development and wellbeing. Equipment must be maintained, cleaned, and checked and removed if damaged or worn.

Seating for children and adults in the outdoor area should be durable and designed for use in outdoor areas. Seating can include a mix of natural materials such as logs/ tree stumps, durable chairs, and benches. If cushions and blankets are used, they should be regularly laundered and stored away when not in use.

4.6. Appropriate Clothing

Children and staff members need to feel comfortable when outside, even in inclement weather. Consideration should be given to the provision of a transition area for suiting and booting where children can be supported to dress/undress, put on/take off coats/boots. The registered provider must ensure children have access to a variety of clothing during all seasons, for example;

Autumn/ Winter

- Waterproof coat with a hood,
- Waterproof trousers,
- Warm / Waterproof footwear,
- Gloves/ Woolly hat,
- Long sleeved top,
- Long sleeved jumper,
- Vest or T-shirt.

Spring/ Summer

- Waterproof coat and trousers,
- Appropriate footwear,
- Sun protection clothing including hats,
- Long sleeved top / T-shirt to protect shoulders and arms,
- Light trouser

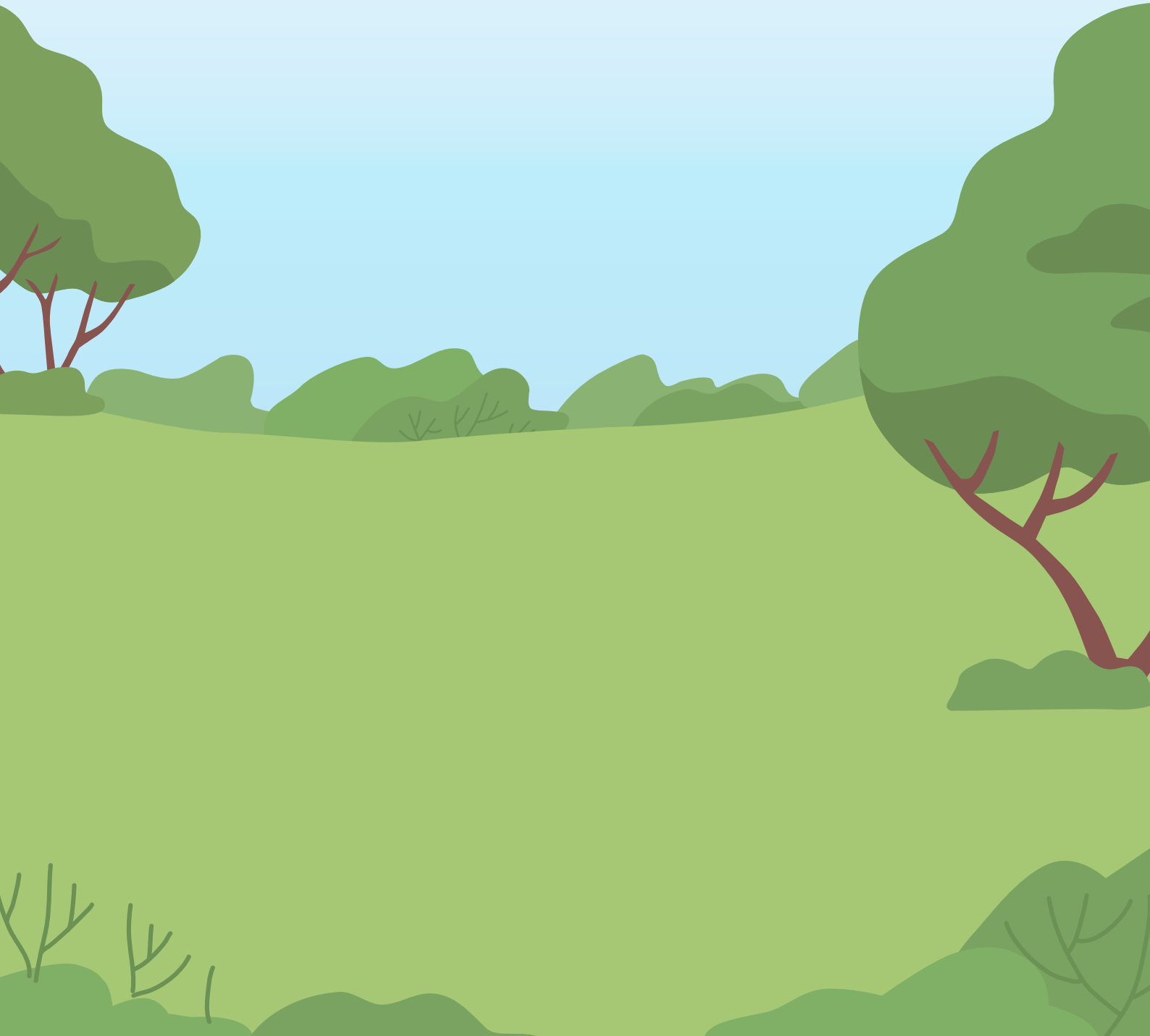
Appropriate clothing will also depend on the location of the outdoor service, for example, it may be shady and therefore cooler in a forest setting. Children should have additional clothing available including t-shirts, jumpers, vests, socks. Children will have individual levels of tolerance to feeling hot, cold or wet, so the service must ensure that children's opinions and views about their outdoor clothing is considered, while making sure that their clothing is suitable for the season and the weather conditions and offers protection from the elements when needed.

12. <https://www.hse.ie/eng/services/list/5/publichealth/publichealthdepts/extreme/protect-health-cold-weather.html>

4.7. Food provision

The registered provider is required to maintain the requirements regarding handwashing and storage of perishable foods. This requires that there should be suitable facilities to prepare, cook/re-heat, store, and serve food and snacks as required.

Further guidance is outlined within in Section 2 of the [Quality and Regulatory Framework](#)



5 | Safety

This section covers areas for consideration in relation to safety. It should be noted however, that not all considerations or hazards within a particular service will be addressed. New hazards will emerge over time, and it is important to review and update policies, practices and procedures.

The registered provider must ensure all aspects of the outdoor environment are reviewed and risk-assessed to ensure the safety of all the children attending. Hazards may change seasonally, for example insects may be an issue during the summer, or frost in the winter may cause slippery surfaces. It is crucial to ensure the safety and welfare of children, that staff are familiar with the environment, and the potential risks and hazards and any control measures in place.

5.1. Considering Hazards in the Outdoors

The outdoor environment will inevitably pose many hazards. General safety considerations will be specific to the area provided for the children. Consideration may be required for, but not limited to, the following:

- Openings that could trap a child's head or limbs.
- Trip hazards which may pose injury.
- Elevated surfaces and structures that are poorly guarded.
- Components that can pinch, cut or crush skin and flesh.
- Any loose, broken or rusty parts.
- Protruding nails, bolts, or other components that could entangle clothing or snag skin.
- Unclear boundaries.
- Internal environmental factors e.g., dead birds/vermin, wasps nests, very wet or very dry ground, debris/broken glass.
- External environmental factors e.g., animals, traffic, anti-social behaviour.

While not every activity, feature, or aspect of practice requires a risk assessment, it is the responsibility of providers to conduct detailed risk assessments and risk benefit analyses to identify and mitigate hazards and to respond to all unnecessary risks posed by the environment. The frequency of risk assessments must be determined in accordance with the nature of the activity or feature. Some aspects in the environment will need to be risk assessed daily, while others may be less frequent.

5.2. Identifying Choking Hazards and Toxic Substances

Choking hazards and toxic substances will present themselves in the outdoor environment.

Choking hazards may present through foods, or through hazardous small parts within the environment for example, food, jewellery, batteries, magnets, or coins. Other examples of choking risks are included at: www.hse.ie/eng/health/child/childsafety/choking-.html.

Some toxic substances may be natural while others may be environmental. Toxic substances may present through seasonal berries, aerosol cans, alcohol containers, drug paraphernalia, cigarettes, rubbish/waste, animal and rodent excrement, weed control products, poisonous plants and mushrooms. Other examples can be found here; <https://poisons.ie/public/educational-resources/>. Staff should be aware of their roles and responsibilities and a risk assessment should be carried out on the area before children enter the space. The service should continue to review the risk assessment, taking into consideration factors including seasonal factors and environmental factors within the space used.

5.3. Insect bites and stings

Children in outdoor services may be more exposed to insect bites and stings due to the increased time spent outdoors. Outdoor areas that feature long grass, or woodland areas may present with more insects and ticks. Further information to reduce the risk of infection from insect stings and bites can be found on the [HPSC website](#).

The service should review their risk benefit assessments and relevant policy to include procedures to deal with tick bites, insect bites and stings. Consideration should be given to use of insect repellent, first aid treatments, possible allergies and/or appropriate clothing including long sleeved tops/trousers in long grass/woodland areas.

5.4. Using tools or sharp instruments safely

All reasonable measures must be in place before, during and after providing tools or sharp instruments to children. The registered provider should ensure staff are aware of their roles and responsibilities, and that there are measures in place to safeguard children. The service's policy should detail the procedures regarding introducing tools, types of activities the tools will be used for, increased levels of supervision, and personal protective equipment, if required. To support the procedures, a risk-benefit assessment should consider the age, stage of development of the child, type of tool/instrument, task it is used for and safe / suitable storage of tool/instrument. All tools and instruments should be used in line with the manufacturer's guidance.

5.5. Managing Accidents and Incidents in Outdoor Services

As with indoor environments, accidents and incidents will occur from time-to-time. The outdoor environment may pose a variety of different situations and scenarios when it comes to managing accidents and/or incidents. The service should ensure that staff are aware of their roles and responsibilities, and that service-specific procedures are in place, taking the following into account:

- Measures to prevent accidents and incidents,
- Procedures to follow when an accident and/or incident occurs in the outdoor environment, or when children are moving freely between the indoor and outdoor environments.
- Measures to record accidents and/or incidents,
- Sharing information with the parent/guardian,
- Procedures in place in the event of an emergency,
- Staffing levels and supervision in the outdoor area,

- Procedures to detail the management of illness/accidents to a child.

The registered provider should also consider the procedures in the event of an accident and/or injury to staff. The requirement as set out in [Regulation 31 Notification of incidents](#) for pre-schools remains the same for outdoor services.

5.6. First Aid

The registered provider must ensure that a person trained in First Aid Responder (FAR) is always immediately available to the children in the early years service. A first aid box must be stocked, replenished and easily accessible and available to staff when working in the outdoor environment. Considerations should be given to dealing quickly with additional hazards presented by the environment including insect bites or stings.

5.7. Fire Safety

When operating an outdoor service, the registered provider must ensure fire safety measures are in place as required by Regulation 26- Fire Safety. This means that:

- Monthly fire drills must be conducted and recorded,
- The firefighting equipment as required by Regulation 26 - Fire Safety Measures should be provided and maintained,
- Firefighting equipment should be suitable for use in an outdoor environment,
- A record of the firefighting equipment used in the outdoor play area must be maintained.

More information on compliance with Fire Safety legislation and guidance is set out in the [Tusla Guidance Document](#)¹³, the [Fire Safety in Preschool guidance](#)¹⁴ or directly from the [Fire Officer](#)¹⁵ in the relevant local authority.

5.8. Using Fire Pits Safely

For many outdoor services, the use of fire pits is embedded within their everyday practice. The purpose and function of fire pits will vary; however, precautions should always remain the same. At each instance, the service should take all reasonable measures, including a risk assessment prior to the use of fire with early years children. In assessing the risk and hazards, measures should include the following:

- Parents must be informed prior to their child's exposure to fire pits or other fire sources,
- The purpose of the fire pit must be clear to children and staff,
- Measures must be taken to introduce children to fire, including safe boundaries,
- The location of the fire pit must be carefully considered, to include seasonal considerations such as wind, low level trees during summer,
- Procedures for setting up the fire pit must be in place. Equipment used to hold the fire should be used in line with the manufacturer's instructions,
- Measures must be in place to include supervision and safe distances for safeguarding children while the fire is ignited,
- Measures to appropriately extinguish the fire must be in place,
- Procedures to follow in the event of an emergency to include a designated fire assembly point must be clear to staff and children.

Appropriate equipment and items, including a first aid kit and a means to extinguish the fire, must be available at all times to ensure the health and safety of children. A risk-benefit assessment should consider any other items or mitigations which may be required.

13. https://www.tusla.ie/uploads/content/Fire_and_Planning_Requirements_for_Early_Years_Services_-ReRegistration_final.pdf

14. <https://www.gov.ie/en/publication/53099-fire-safety-in-preschools-1999/>

15. <https://assets.gov.ie/100014/4003a558-8a4a-46d8-91af-19daca4994fb.pdf>

5.9. Weather Conditions

The registered provider should ensure there are appropriate measures to consider the effect weather and seasonal changes pose to the health, safety, and well-being of children and staff. Access to a sheltered space should be available at all times, and choice should be afforded to children to retreat to the shelter at any time. As a country, four seasons may be experienced in one day, therefore the provision of towels, appropriate clothing, including rain gear and alternative footwear will need to be considered. Specific consideration regarding the safety of children and staff during high winds, snow, thunder, lightning, or extreme temperatures needs to be assessed by the registered provider.

The registered provider should ensure a risk assessment is undertaken to consider structural risks posed in the area or space used, including walkway surfaces, considering entrance and exit routes. Factors including weather should be considered, for example, warm weather may cause muddy surfaces to become dry and pose a risk of sliding or slipping.

In the event that adverse weather conditions occur unexpectedly during a day or if there are changes or updates to weather forecast warnings, staff should be able to access the risk assessment and/ or critical incident plans to include parent/guardian contact details. Ideally these will be stored in a waterproof folder and easily accessible. Critical incident planning should include procedures for how staff will be informed of extreme weather-related conditions, how staff can maintain contact with the service to include a charged and working mobile phone with network access, and procedures to follow in the event of an emergency evacuation.

5.10. Lighting and darkness

During certain times of the year, children may be outdoors in growing or complete darkness. While this can offer children many exciting learning opportunities, it is also a safety concern as children may find it more difficult to see, staff may find it is harder to supervise children safely, and it may be more difficult for staff to manage safe entry and exit from the service. Service providers should ensure that the lighting provided in the outdoor environment is adequate to allow children to continue to play safely. Additional lighting may need to be provided to ensure that children are kept safe and are reassured that they can continue to engage in their environment on shorter, darker days.

6 | Premises and Facilities

When operating an outdoors early years service, the outdoor area (including any temporary or permanent structures in the area) is considered to be the 'premises'. As such, the registered provider must ensure that the premises is safe, suitable for its purpose, and provides an appropriate environment for both children and staff. The outdoor area must comply with all relevant statutory requirements as set out in the Child Care Act (1991) (Early Years Services) Regulations (2016).

There are a number of considerations for providers to ensure that the premises where they operate is compliant with these regulations. These include:

- Clearly defined boundaries,
- The provision of shelter and respite from the elements,
- Adequate space for children to play, learn and rest,
- Sanitary facilities,
- The provision of storage.

6.1. Boundaries

Boundaries provide security and safety to children, staff members and parents. Attention to boundaries and an entry/exit system should be in place on the premises. In addition to creating a sense of safety and security, it is important to consider the boundary as part of the learning environment. Having appropriate boundaries can support children's engagement with the natural environment, creating sensory and visual experiences for children without reducing their safety. Whether boundaries are created by walls, fences or natural or symbolic barriers, they can become a safe addition to an outdoor learning environment. Registered providers should engage with a Risk Benefit Assessment approach to boundaries to ensure children's safety and security, while also creating boundaries that are reassuring to children and respectful of the natural environment in which the service operates. Children should be supported to develop an awareness of the location and the purpose of boundaries in the outdoor service; using different surface areas, colours, sensory materials and transitional spaces to mark boundaries can be very effective to support children's engagement with boundaries.

6.2. Provision of appropriate structures

Services operating outdoors need to ensure that children have access to a structure(s) providing shelter, so that children can continue to enjoy their time outdoors in the natural environment whenever they require shelter from the elements. However, children need to be able to access the structure independently and as part of their outdoor experience whenever they wish (for

example to rest), and not only as a respite from the elements. The structures should also accommodate children to change their clothes and put on their wellies or shoes, in addition to providing shelter from the elements.

The way the structure is used by the children may change in the different seasons, so an outdoor service should ensure that shelters are flexible and appropriate for the time of year. A shelter, whether fixed or temporary, must be suitable for the weather and the season, be carefully positioned in the outdoor area so that it is easy for children to enter and exit, and be spacious enough to accommodate the group as required. As well as a structure for shelter, there are other ways to provide shelter to children in the outdoor environment. Dens, tunnels and naturally shaded areas including hollows and dips, and trees can offer children both shelter from the elements and also private space to play alone or in a group or to rest and relax.

6.2.1. The location of the structure

The [Scottish Care Inspectorate](https://www.careinspectorate.com/images/documents/3091/My_world_outdoors_-_early_years_good_practice_2016.pdf)¹⁶ advise that when constructing a temporary or permanent structure or shelter, make sure the doors or openings face away from the prevailing wind to reduce draughts. If the site has little or no tree cover, providers should think about how to also provide shade from the sun. Equally, in a woodland site, providers should consider what to do in windy conditions. Different types of structure work better in different areas. For instance, the Scottish Care Inspectorate report that yurts have been less successful in wetter and windier areas in western Scotland but have worked well in more sheltered areas in drier parts of the country.

6.2.2. Children's need for shade and shelter

It is important that children feel warm and comfortable, even on very cold days, and cool and comfortable on very warm days. Along with the provision of suitable clothing, children must have access to shelter and shade when they require it. The service must

consider the children's ages and appropriate length of sessions when thinking about a suitable structure.

6.2.3. Meeting adults' needs for shade and shelter

The needs of staff and other adults who visit the site need to be taken into consideration. Adults also need to be able to shelter and may have different seating requirements than children. Staff will need somewhere sheltered on-site to have a break, store their bags and coats, charge their phones or to do paperwork.

6.2.4. A shelter as an engaging learning structure

Whether temporary or permanent, the structure should also provide an engaging learning space so that children can continue to benefit from the affordances in the outdoor environment, even when sheltering from the elements.

6.3. Space requirements

It is ultimately the responsibility of the registered provider to provide adequate and appropriate space to safely meet the needs of the number and age range of the children accessing the service and the play activities being provided to meet their holistic development. When planning the space allocation in an outdoors early years service, it is important to consider the type of activities and opportunities that are afforded by the outdoors environment and ensure that there is adequate space for children to enjoy and engage in their play safely.

While the Childcare (Early Years Services) Regulations 2016 identify the required clear floor space requirements, there is no specific regulatory outdoor space requirement set out. However, outdoor services must provide adequate clear floor space for children to play, move, learn, and explore in the structures in an outdoor service, as well as in the outdoors area in line with the requirements for compliance set out in Regulation 19. 'Clear floor space' is defined

16. https://www.careinspectorate.com/images/documents/3091/My_world_outdoors_-_early_years_good_practice_2016.pdf

in Part 1 of the 2016 Regulations as meaning floor space that is available in the service for children's work, play and movement after taking into account each of the following: (a) storage space; (b) furniture, other than furniture that is used directly in relation to the care of children attending the service; (c) permanent fixtures; (d) areas ancillary to the provision of the pre-school service, including kitchens, toilets, areas designated solely for use for sleeping by the children attending the service or areas designated solely for use for administrative purposes.

Clear floor space can be calculated using the space available in floored structures on the premises for compliance with Regulation 30, once the space available in the structure supports children's need for shelter, comfort and rest and provides opportunities for play, learning, and movement.

6.4. Sanitary Accommodation

All sanitary accommodation must have planning approval as there are strict planning criteria for sanitary waste. A toilet block may be in or adjacent to the outdoor area and should be easily and safely accessible to children. Toilets in outdoor early years services must be situated within a sound and stable structure. A service must have the recommended number of toilets within onsite buildings for the numbers attending, or a toilet block may be in or adjacent to the outdoor area.

The position and use of sanitary facilities must facilitate suitable levels of supervision. Children's privacy and dignity must be always maintained. There must be one toilet with appropriate hand washing facilities for every 11 (toilet trained) children accessing an early years service operating outdoors.

Portable or chemical toilets are not permitted, however compostable toilets are permitted once any planning requirements regarding same are adhered to. Equally there must be separate, soundly constructed, hygienic toilet facilities provided for staff. There is a minimum requirement of one toilet and facility for washing hands for every 8 staff members.

Hand hygiene facilities must be available including warm running water, liquid soap, and disposable hand towels. It is acceptable to use single use towels, and these can be cloth rather than paper once they are laundered after each use. Water for hand washing must be contaminant free and thermostatically controlled. Harvested rainwater can be used for flushing toilets but cannot be used for hand washing unless appropriately treated.

There may be planning requirements that need to be considered in relation to water treatment. Services must liaise with environmental health department to ensure that periodic water tests are carried out as specified for the different water sources.

Additionally, providers must take all reasonable measures to ensure that children who are having their clothing removed during toileting or having their nappy changed are not cold or uncomfortable during the process.

6.5. Heating and warmth

The comfort of children attending a service is paramount and providers of services operating outdoors must ensure that children are protected from any potential harm caused by cold temperatures. This can be achieved by ensuring that children wear appropriate clothing and have access to an appropriately heated shelter, depending on the weather conditions. Where a radiant or infrared heating system is installed in an outdoor area, it must comply with EU regulations, and the surface of the heater and its controls should not be accessible to children. A stove or any other device where fire is used for heat must be surrounded by a fire guard, and children should be always supervised when they are near the stove. Wood, matches, firelighters etc., must be stored out of reach of children.

7 | Conclusion

There is ample evidence that being outdoors supports children's holistic development and wellbeing. Staff in early years services have a duty of care to ensure that all children have quality early years experiences when accessing both indoor and outdoor provision. All children accessing a Tusla registered early years service should be safe and have their care needs met. These basic care needs include the need for food, sleep, rest, security, safety, and quality relationships.

These needs must be met whether the service being provided is an early years service operating indoors or fully/substantially outdoors. Compliance with the Child Care Act 1991 (Early Years Services) Regulations 2016 by registered early years service providers and staff will help ensure that children will have quality early years experiences.

By keeping the best interests of the child at the heart of our work, listening to children, working in partnership with parents and constantly learning, the early years sector continues to strive to provide high quality early years provision, indoors, through a blended / seamless provision approach and/or outdoors to meet the changing needs of children and families.

Tusla's Early Years Inspectorate have committed to ongoing review and learning to support this type of practice as it becomes more available and frequent in the Irish context.



8 | Appendices

Appendix 1. Risk Benefit Analysis template

The risk benefit assessment tool set out below is a sample that can support planning and risk assessment processes in services. This sample document should be replaced by a risk benefit assessment tool developed by the service. The tool is intended to clarify thinking and establish a proper balance between risks and benefits in outdoor environments. The sample tool is based on a number of best practice risk benefit analysis tools, including those of the Scottish Care Inspectorate, Play Learning for Life, and Play England.

Description of the activity, experience, or feature:		Set out how children will benefit from participating in the activity/experience?	
Identify possible hazards and risks that may lead to accidents or injury?	Who is at risk?	Describe precautions and mitigations required to reduce the risk severity or likelihood of accident or injury.	
Overall risk rating with mitigations in place.		Person completing risk benefit assessment	
Low <input type="checkbox"/> Medium <input type="checkbox"/> High <input type="checkbox"/>		Signature:	

Appendix 2: Further information and resources

The following Irish and international resources may be used to support services who wish to operate outdoors. Click on the hyperlink or copy and paste the link into your browser to access the resource.

<https://first5.gov.ie/guidance/outdoor-learning-and-play>

<https://www.gov.ie/en/publication/c62e4-insights-effective-outdoor-learning-environment/>

<https://shop.barnardos.ie/products/ebook-outdoorplaymatters>

<https://knowledge.barnardos.ie/handle/20.500.13085/166>

<https://www.earlychildhoodireland.ie/learning/publications-and-resources/outdoor-play/>

<https://www.earlychildhoodireland.ie/lets-go-outside/>

<https://www.earlychildhoodireland.ie/scealta-blog/embracing-changes-outdoors-for-children-under-three/>

<https://ltl.org.uk/wp-content/uploads/2019/02/children-in-the-outdoors.pdf>

<https://hub.careinspectorate.com/how-we-support-improvement/care-inspectorate-programmes-and-publications/my-world-outdoors/>

https://www.playscotland.org/wp-content/uploads/Out-to-Play_practical-guidance-for-creating-outdoor-play-experiences-in-early-learning-and-childcare.pdf

<https://dera.ioe.ac.uk/8625/1/00942-2008DOM-EN.pdf>



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