



An Gníomhaireacht um  
Leanaí agus an Teaghlach  
Child and Family Agency

**Annual Report 2016 of  
Tusla - Child and Family Agency's Early Years  
Inspectorate**



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## Foreword

I am pleased to present the second Annual Report of the Early Years Inspectorate. The Early Years Inspectorate is the independent statutory regulator of early years services in Ireland and has overall responsibility for regulation in this area. The overall purpose of the service is to promote the quality, safety and appropriate care of children by robust inspection of the sector. In December 2016, there were:

- 4,507 Early Years Services operating ;
- 432 new registrations/notifications.

The Inspectorate carried out 2,008 inspections of early years services in 2016. Of the 2,008 inspections, 36 were undertaken in response to an application for registration under the 2016 regulations and these are called '*Fit for Purpose Inspections*'. While an analysis of the inspection reports highlights many areas of good practice, it also demonstrates areas where noncompliance is problematic, including failure to ensure that all employees have been Garda / police vetted and have the required, validated two references; and general safety concerns (e.g. inadequate supervision of children, blind cords, unauthorised access to the service, and access by children to unsafe materials) and poor record-keeping.

The implementation of the revised 2016 regulations was a very significant milestone in the overall regulation of early years services. Of particular importance is the requirement for all services to register with Tusla prior to opening, and a specific challenge was to ensure that all existing services were registered prior to the commencement of the regulations on 30 June 2016. I am delighted to report that while a significant realignment of structures, processes and systems was necessary, the Inspectorate successfully achieved this significant task. All existing service providers were registered by 30 June, as required, with the exception of 106 services which chose not to have their service placed on the register.

Throughout 2016, the Early Years Inspectorate sought to assist early years providers with the new requirements under the regulations. Fourteen briefing sessions delivered nationwide were undertaken by the Inspectorate on the regulatory changes, and more than 3,800 early years providers attended these sessions. A national survey of early years providers, on their views and experiences of inspection, was carried out for the purpose of improving the inspection process. The findings of the survey show that the vast majority of respondents (70-85%) either agreed or strongly agreed that the inspection process:

- Is rigorous and robust;
- Focuses on the correct areas;
- Is fair and appropriate.

The findings also show that services understand what is required of them and that the Inspectorate is responsive to queries arising. A few areas were identified for improvement and these will be a focus for the Inspectorate in 2017, including the development of a Quality and Regulatory Framework.

Finally, I would like to thank the National Manager, Fiona Mc Donnell, and all members of the Early Years Inspectorate for their commitment and flexibility in 2016.

  
Brian Lee  
National Director of Quality Assurance  
Tusla – Child and Family Agency

## Introduction

Tusla, through the Early Years Inspectorate, is the independent statutory Regulator of early years services in Ireland and has a responsibility for inspecting pre-schools, playgroups, nurseries, crèches, daycare and similar services which cater for children aged up to six years. The role of the Inspectorate is to *promote the quality, safety and appropriate care of children by robust inspection of the sector.*

Many positive benefits of regulation in early years services have been identified. These are highlighted in the *Report of the Expert Advisory Group in the Early Years Strategy*,<sup>1</sup> as follows:

- Safeguarding children against harmful practices;
- Ensuring that minimum standards are met;
- Supporting the translation of quality standards into practice;
- Providing parents and the public with an assurance that services are of a consistent quality;
- Setting benchmarks against which service providers can develop, enhance and maintain services for children.

The Early Years Inspection service was introduced in 1997, under Part VII of the Child Care Act 1991, which gave effect to the 1996 Preschool regulations. The regulations were subsequently revised in 2006 and placed greater emphasis on the health, welfare and development of the child. Significant changes to the legislative basis for the supervision of early years services emerged from Part XII of the Child and Family Agency Act 2013. The main changes from the previous legislative base (the Child Care Act 1991) are identified in Table 1.

**Table 1: Key changes to the legislative basis for Early Years Services**

Child Care Act 1991 (Part VII)	Child & Family Agency Act 2013 (Part XII)
Power of regulation to the then Health Board.	Power of regulation to Tusla.
Providers required to first notify and be inspected later.	Providers required to register and be approved to open.
Regulations set by Minister.	Regulations set by Minister but include registration application process and set minimal qualifications for staff.
Enforcement through the courts.	Tusla can propose to attach conditions and or refuse to register, or propose to remove from 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.

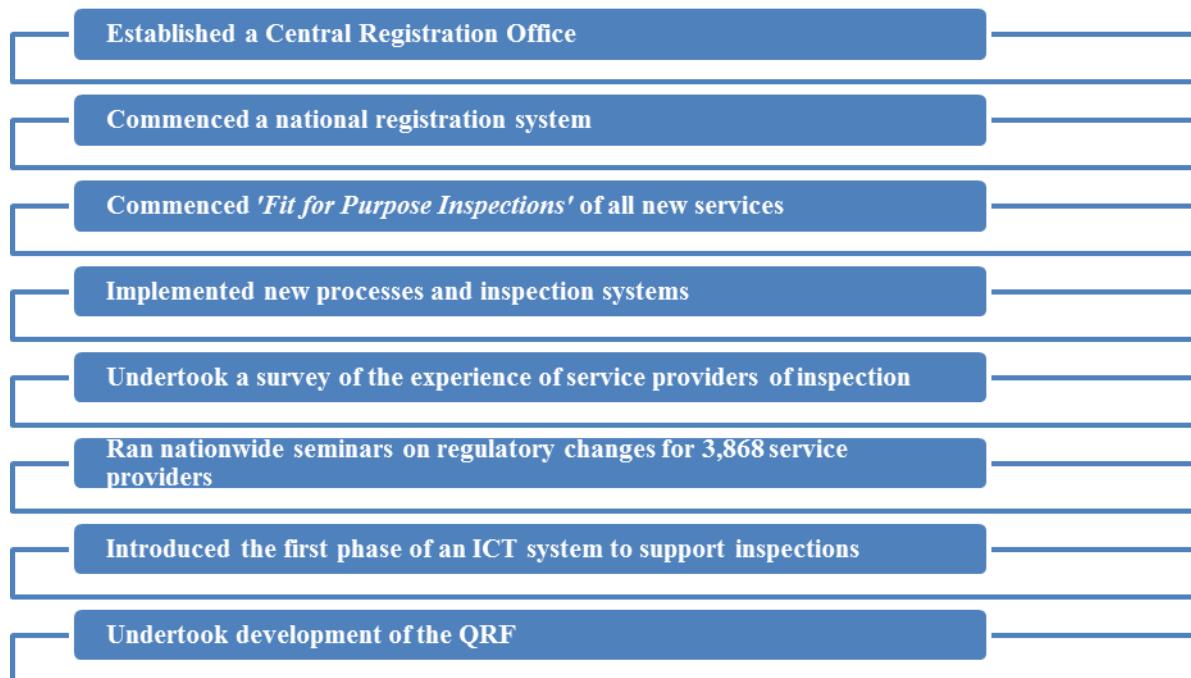
Revision of the Early Years Regulations took place to reflect these changes and on 30 June 2016, a revised set of regulations that placed a strong emphasis on the governance of early years services was commenced (Table 4, page 8). A transitory period for implementation was put in place, in order to accommodate services. While services are assumed to be compliant with the current regulations, and can be inspected against any of the regulations, the main focus of inspections during 2016 has remained within the four broad areas of:

<sup>1</sup> Department of Children and Youth Affairs, 2013. *Report of the Expert Advisory Group in the Early Years Strategy*. Dublin: Department of Children and Youth Affairs.

1. Governance;
2. Health, welfare and development of the child;
3. Safety;
4. Premises and facilities.

## Key Achievements of the Early Years Inspectorate

In 2016, the Early Years Inspectorate implemented a range of initiatives that focused on achieving benefits for children in early years settings (Figure 1).



**Figure 1: Key achievements of the Early Years Inspectorate in 2016**

## Key Findings arising from an Analysis of 288 Inspection Reports

The revised regulations commenced on 30 June 2016 and a revised inspection process was put in place to reflect this. 288 inspection reports that have taken place since that time have been analysed. Key findings from this analysis are as follows:

- 22% of regulations assessed were noncompliant. This is an improvement on the 28% noncompliance rate identified in the 2015 inspections.
- Approximately one-third of regulations inspected in the Dublin Mid-Leinster (DML) area (31%) and Dublin North-East area (32%) are assessed as noncompliant. This compares with 19% in the West and 7% in the South.
- 83% of regulations assessed in sessional services were identified as compliant, compared with 76% in part-time services and 68% in full daycare services (Table 2).

**Table 2: Overview of most likely compliant and noncompliant regulations**

Regulations most likely to be compliant		Regulations most likely to be noncompliant	
<b>Reg. 28: Insurance</b>	<b>99%</b>	Regulation 16: record in relation to the pre-school service	<b>46%</b>
<b>Reg. 11: Staffing levels</b>	<b>96%</b>	Regulation 23: safeguarding the health, safety and welfare of the child	<b>39%</b>
<b>Reg. 25: First aid</b>	<b>93%</b>	Regulation 9: management and recruitment	<b>37%</b>

#### **Positive impact of inspections on early years services**

The findings show that the inspection resulted in demonstrable positive changes within almost all services, and these changes included improvements in respect of the:

- Governance of the service;
- Safety of the service;
- Health, welfare and development of children in the service;
- Facilities.

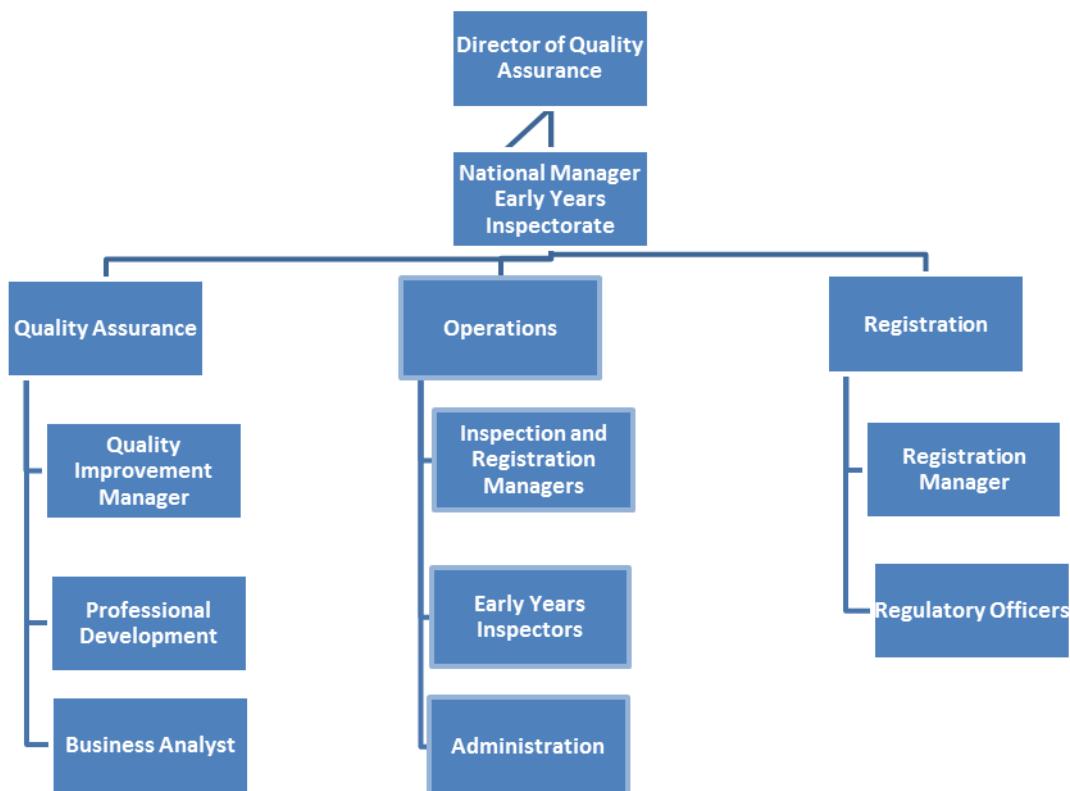
At the time of publication of inspection reports, the Inspectorate was satisfied that sufficient changes had been made in respect of 87.5% of noncompliant regulations to deem the service compliant in that area. A further 11.5% of regulations were deemed to be compliant, but these had not been verified by the Inspectorate at the time reports were published. Only five regulations remained noncompliant at the time of publication.

## Priorities for 2017

1. To finalise the Quality and Regulatory Framework (QRF), following an external consultation with the sector and public;
2. To develop new metrics for the Registration office activity;
3. To develop the processes within the Registration office and increase the capacity within the office;
4. To develop and promote the work of the Inspectorate;
5. To centralise the administrative process for the management of complaints.

## Early Years Inspectorate

The Early Years Inspectorate moved to a national system of governance in 2015 and this is reflected in the organisational structure (Figure 2). Working within Tusla's Quality Assurance Directorate, the National Manager (Fiona McDonnell) leads four Inspection and Registration Managers, who manage inspection teams.



**Figure 2: Organisational structure of the Early Years Inspectorate**

### Number of Early Years Inspectors

The development of a new registration office was aligned with the requirement for all early years services to register with Tusla. There are currently seven staff members working directly in registration, including three Early Years Inspectors, who have responsibility for *'Fit for Purpose Inspections'*, three administration staff and one registration manager. One Early Years Inspector also works in the Quality Office. The inspection teams are divided into four regions, with Early Years Inspectors assigned to specific geographic areas (Table 3).

**Table 3: Number of Early Years Inspectors and WTEs by region**

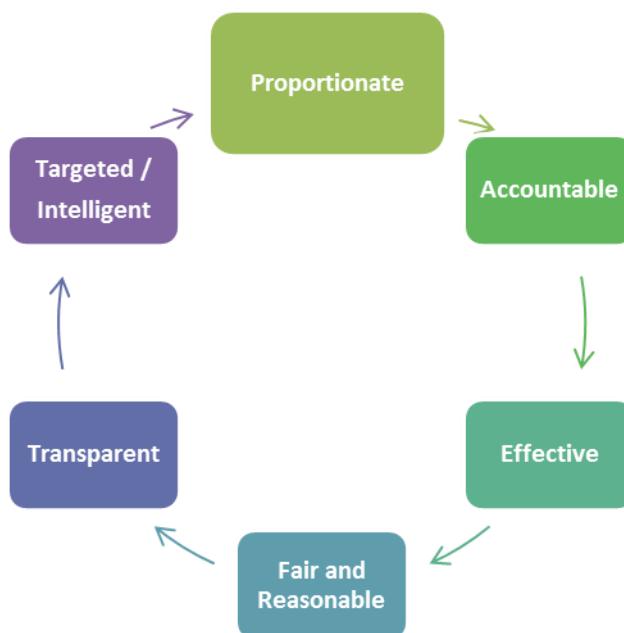
Region	Number of Early Years Inspectors	Whole-time Equivalents (WTE)
DML	12	11.8
Dublin North-East	10	9.8
South	11	10.1
West	15	13.7
<b>Total</b>	<b>48</b>	<b>45.4</b>

## Early Years Inspection

The Child Care Act 1991 (Early Years Services) Regulations 2015 require all Early Years Services in Ireland strive to achieve full compliance across all Early Years regulations. The purpose of regulatory inspection under the 2016 Early Years Inspectorate regulations is to determine the extent to which:

- The service is well governed;
- The health, welfare and development of each child is supported;
- Children are safe in the service;
- The premises are safe, suitable and appropriate for the care and education of children.

The work of the Early Years Inspectorate is guided by the Vision, Mission, Values and Behaviours of Tusla, as set out in the *Corporate Plan 2015 – 2017*. The implementation of the inspection takes account of best practice in regulation and inspection. It is guided by a core set of principles (Figure 3).



**Figure 3: Principles of inspection**

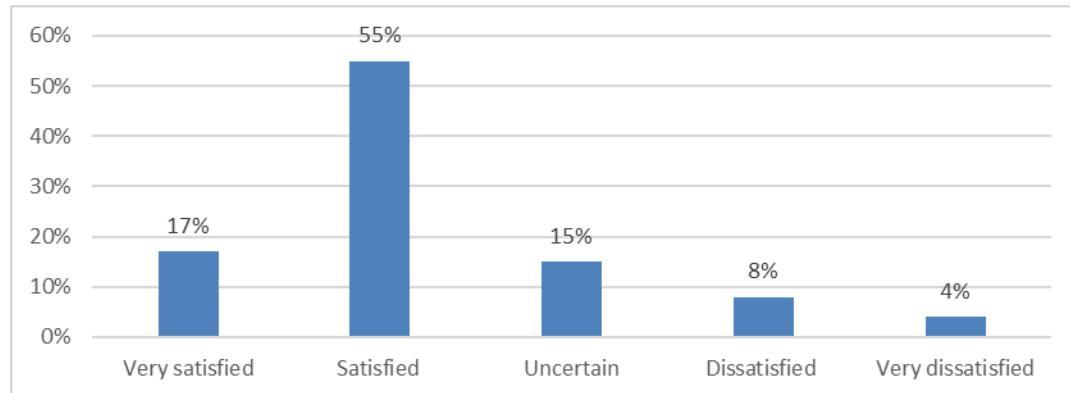
## Views of Services Providers on Early Years Inspections and Inspectorate

A national survey of early years providers conducted in 2015 achieved 1,399 responses and these were spread geographically across the country. The survey was undertaken by an independent research company on behalf of Tusla. The aim of the survey was to *identify and collate the views of service providers on their experiences of the inspection process*.

Respondents comprised a variety of professionals (e.g. childcare workers, assistants, managers, deputy managers and supervisors) working across a range of early childcare services, including, full-time, part-time, sessional, drop-in and childminding services. Almost 70% of those taking part had more than ten years' experience working in the area, and 60% had been involved in five or more early years inspections.

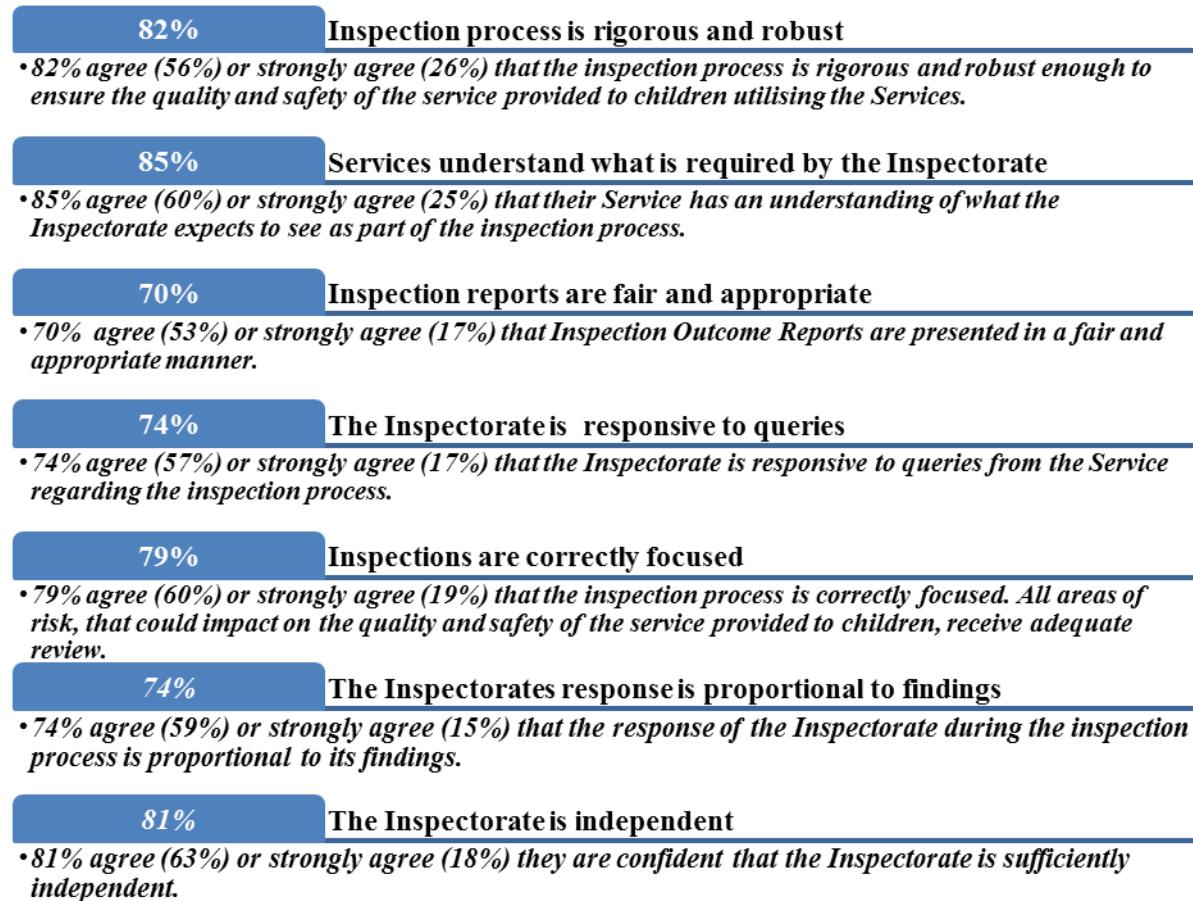
## **Findings from the survey**

Respondents were asked to rate their overall satisfaction with the inspection process and almost three-quarters (72%) indicated that they were either satisfied or very satisfied (Figure 4).



**Figure 4: Level of overall satisfaction with the inspection process**

Other key findings from the survey show that the vast majority of respondents (70-85%) either agree or strongly agree that the inspection process is rigorous and robust, and focuses on the correct areas; the inspection reports are fair and appropriate; services understand what is required of them; and the Inspectorate is responsive to queries arising (Figure 5).



**Figure 5: Key findings from national survey of Early Years Service Providers**

A few areas were highlighted by a minority of respondents as unsatisfactory, including the complaints process, issues relating to inspection consistency, and an awareness among the Inspectors of the costs associated with resolving areas of noncompliance. These areas are being addressed by the Inspectorate in several different ways, including through ongoing professional development and the development of the QRF.

## **Professional Development**

The Early Years Inspectors and the management team that support them engaged in extensive continuing professional development to support and enhance service delivery throughout the year. The programme of training and education was developed to meet the needs of the Inspectorate and to ensure the smooth transition to implementation of the 2016 Regulations. Comprehensive training on the implementation of the 2016 Regulations was delivered, focusing on the changes entailed in moving from a system of registration to notification, and the implications for same.

The training undertaken in 2016 included:

<b>2016 Regulations training of a total of six days per person</b>
<b>Induction training for Early Years Inspectors and for Inspection and Registration Managers</b>
<b>Garda vetting</b>
<b>Ongoing training in management</b>
<b>Leadership development programme</b>
<b>Professional development portfolios</b>
<b>Complaints management training</b>
<b>Courtroom skills</b>
<b>HR training</b>
<b>Freedom of information</b>
<b>Fire safety</b>
<b>Lone worker and employee safety</b>
<b>Manual handling</b>
<b>Child protection</b>
<b>Finance and HR training</b>

## **Significant Developments of the Early Years Inspectorate in 2016**

The most significant change in the work of the Early Years Inspectorate in recent years arises from the enactment of Part XII of the Child and Family Agency Act and the consequent implementation of the revised 2016 regulations. While a number of changes emerge from this legislation, the most extensive changes for all services is a requirement to be registered with Tusla. To meet this requirement, the Early Years Inspectorate has developed extensive structures, processes and systems. The key changes to the regulations are presented in Table 4.

**Table 4: Changes in regulation requirements**

<b>Reg. no</b>	<b>Title of regulation</b>	<b>Requirement</b>
<b>2</b>	Interpretation	Provision of definition of terms referenced in regulations, e.g. director, unpaid worker, contractor
<b>6</b>	Registration of pre-school service	Sets out requirements for registration
<b>7</b>	Register	Details required to be entered into a register of approved services, available to the public on the internet
<b>8</b>	Change of circumstance	The information required to be notified to Tusla when the service has a change in service provision
<b>9</b>	Management and staffing	Qualification requirements and exemptions
<b>10</b>	Policies and procedures of the service	The policies, procedures and statement required, as set out in Schedule 5
<b>14</b>	Review of pre-school service	A review of the quality, safety and care provided, including maintaining a written record
<b>15</b>	Record of a pre-school child	Retention of records for a period of two years, as defined
<b>16</b>	Record in relation to pre-school service	Retention of record for a period of five years as defined
<b>19</b>	Health, welfare and development of the child	Regulation of children's access to, and use of, the internet, and of photographing and recording children
<b>20</b>	Facilities for rest and play	Outdoor space: Requirements for services registered prior to 30 June 2016 and those registered after 30 June, or services moving premises
<b>24</b>	Checking in and out and record of attendance	A designated person is required where there are more than 15 children attending the service Requirement for retention of records for a period of one year, as defined
<b>25</b>	First aid	A person trained in first aid for children is available First aid box is securely stored and in a conspicuous place
<b>26</b>	Fire safety records	Retention of records for a period of five years, as defined
<b>27</b>	Supervision	Children are supervised at all times
<b>28</b>	Insurance	The service must be adequately insured
<b>31</b>	Notification of incidents	Tusla must be notified within three working days when any of the incidents listed occur
<b>32</b>	Complaints	Requirement for service to have a complaints policy and procedure, as detailed Retention of record for a period of two years, as defined

## **Structure and Processes to Support Implementation of the Revised 2016 Regulations**

Structures, processes and systems to support the revised 2016 regulations include the development of a centralised registration system and associated supports. These are now presented.

### **Centralised Early Years Registration structure**

A significant change in the 2016 Regulations is the change from notification of Early Years Services to a statutory requirement to be registered with Tusla. From 30 June 2016, all Early Years Services proposing to operate were required to make an application under section 58D(2) of the Child and Family Agency Act 2013, at least three months before it is intended to commence operation.<sup>2</sup> This legislative change replaced the notification system and it is now deemed an offence not to be registered.

The Inspectorate put an extensive programme in place to support this legal requirement, including the establishment a central Early Years Registration Department in the national office. At the end of December 2016, this department had seven staff members as follows:

- Registration manager (1);
- Early Years Inspectors responsible for '*Fit for Purpose Inspections*' (3);
- Administration staff (3).

A system to centralise the receipt of complaints had also commenced and by December 2016, two complaints officers had been appointed.

### **Processes and systems put in place to support registration**

A number of key systems and processes to support statutory registration were put in place by the Early Years Inspectorate, including:

- Development of standard operating procedures for registration;
- Creation of a new ICT system to facilitate online registration;
- Re-registration of all existing early years services.

### **Standard operating procedures**

In order to meet the statutory requirements, a number of processes and systems were developed, including the creation of new operating procedures for registration and inspection of early years services. These included:

- Initial Registration Procedure of a New Service;
- Registration Decision Process;
- Regulatory Enforcement Framework;
- Registration Representation Procedure.

### **Tusla Early Years Inspection System (Information Technology)**

A new ICT system (Tusla TEYIS Service Portal) that supports early years providers in creating an online Tusla Registration Application Form (RAF) was developed in 2016. This system allows all new applicants to apply for registration online. This system was designed to support the processing of new applications, and the Early Years registration team works with service providers and other stakeholders to communicate any issues in this new registration process.

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<sup>2</sup> Except in the case of a Temporary Early Years Service, in which case at least 21 days' notice must be given.

## **Re-registration of all existing services**

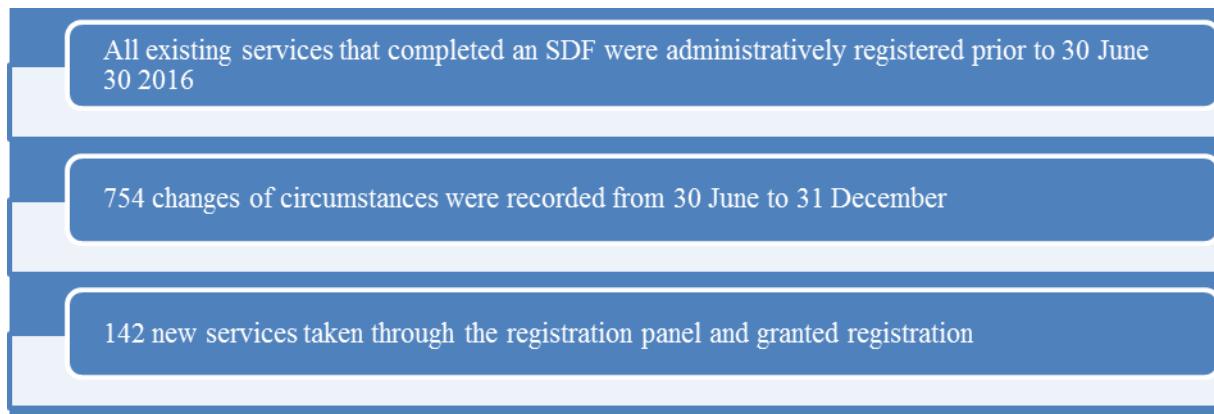
Article 58E of the Child and Family Agency Act 2013 made provision for all early years services notified to the HSE under section 51 of the Child Care Act 1991 to be deemed registered by Tusla for a period of three years. A process to administratively register existing services was put in place by the Early Years Inspectorate, and included:

- Correspondence to all existing providers advising of the requirement'
- Completion and return of a Statutory Declaration form (SDF) by service providers.

Where SDFs were not returned by 30 June 2016, the service was not registered.

- If the service wanted to be registered and had not returned the form, a new registration form and initial inspection, in accordance with Section 58D of the Child and Family Act 2013, was required for the service to continue in operation.
- Where a service did not want to be registered, no further action was required, but the service was not placed on the register. The service was then closed.

By the end of December 2016, all Tusla requirements relating to registration had been achieved (Figure 6).



**Figure 6: Key achievements relating to registration**

## **Creation of a National Register of Early Years' Service Providers**

Once registered with Tusla, an early years provider's information is added to and is available on a national register of registered providers on the Tusla website. All registered providers also receive a certificate of registration.

The National Register of Early Years Services (National Register) is a list of registered early years services. Since the end of 2016, it has contained the following information about 4,500 services and is available to the public on the Tusla website:

- Service name;
- Address of the premises in which the service is provided;
- Name of registered provider;
- Contact phone number;
- Service type.

## **Revised Inspection process**

The Child Care Act 1991 (Early Years Services) Regulations 2016 require all early years services in Ireland to strive for full compliance across all Early Years Regulations. Specific changes arising in regulations have necessitated changes in the model of inspection, and in 2016, a revised early years Inspection process with accompanying inspection tool and inspection report was developed.

### **Overview of revised process**

The revised process of inspection undertaken by Early Years Inspectors includes a number of different steps and provides opportunities for providers to correct any factual inaccuracies; set out corrective and preventive actions to address any regulations identified as noncompliant in the inspection process; and facilitate engagement between the Inspector and Provider to ensure a satisfactory resolution of regulations identified as noncompliant.

### **Box 1: Key elements of the process**

- The Early Years Inspector reviews all available information (e.g. previous inspection reports, correspondence and representation from Providers, complaints received, notified incidents, changes in service provision of the service).
- Inspection is carried out by Early Years Inspectorate.
- An opening meeting is held between Early Years Inspector and provider / designated person in charge.
- Inspection is undertaken drawing on the methodology of inspection including: reviewing documentation / policies / procedures / statements; observing practices; interviewing / talking with staff; review of premises and facilities.
- Draft inspection report issued by Early Years Inspectorate to the provider.
- Opportunity for Registered Providers to:
  - a) Respond to the draft report and identify any factual accuracy and / or disputed findings
  - b) Detail how noncompliance has been / will be addressed and prevented in the future
  - c) Engage with early year inspector to clarify, progress or escalate issues arising.
- The draft report is updated with the Registered Provider's response and submitted to the Registration Panel, which considers and agrees a final report that is then issued to the Registered Provider.
- The report is published by the Early Years Inspectorate and is available at: <https://maps.pobal.ie/WebApps/TuslaInspectionReports/index.html>
- Registration continues.

### **Noncompliance**

In response to noncompliance, Tusla can require Registered Providers to put immediate controls in place where an immediate risk to a child is identified. Where issues of noncompliance are not addressed, or are inadequately addressed following engagement between the Early Years Inspector and Provider, the issues can be escalated and addressed through:

- A Regulatory Compliance Meeting with the Registered Provider and the Inspection Registration Manager
- Urgent escalation to the Registration Panel for consideration of:
  - a) Proposal to attach conditions
  - b) Proposal to remove from the register.

Where there is a proposal to attach conditions or to remove from the register, the Registered Provider has 21 days to make representation to either Tusla or the district court.

## Inspectorate-facilitated Seminars

The Inspectorate facilitated 14 events throughout the country in May and June. The focus of these sessions was to ensure that the service providers and the agencies that support them would be informed about the Regulations to be implemented from 30 June 2016.

### Inspectorate-facilitated seminars on the 2016 Regulation

Fourteen sessions were facilitated

Up to 500 at each session

3,868 people attended these sessions

These briefing sessions are available at:

- Tusla Early Years Inspectorate  
<https://youtu.be/azcuFNhuTnQ>
- Principles of Inspection and Service Providers' Survey  
<https://youtu.be/4TRCf3AbkRE>
- Legislation and Regulation Changes  
<https://youtu.be/5ffNxtpa7Po>
- Impact on new and existing services  
<https://youtu.be/oORpfARzPjw>



Date	Venue	Time
Tuesday 24 <sup>th</sup> May	Aisling Hotel, Dublin	7:00pm – 9:00pm
Wednesday 25 <sup>th</sup> May	Four Seasons, Monaghan	7:00pm – 9:00pm
Thursday 26 <sup>th</sup> May	Sheraton Hotel, Athlone	7:00pm – 9:00pm
Saturday 28 <sup>th</sup> May	City West, Dublin	11:00am – 1:00pm
Saturday 28 <sup>th</sup> May	City West, Dublin	2:00pm – 4:00pm
Saturday 28 <sup>th</sup> May	Silver Springs Hotel, Cork	11:00am – 1:00pm
Saturday 28 <sup>th</sup> May	Silver Springs Hotel, Cork	2:00pm – 4:00pm
Tuesday 31 <sup>st</sup> May	Sligo IT	2:00pm – 4:00pm
Tuesday 31 <sup>st</sup> May	Sligo IT	7:00pm – 9:00pm
Tuesday 31 <sup>st</sup> May	Hotel Kilkenny	7:00pm – 9:00pm
Wednesday 01 <sup>st</sup> June	South Court Hotel, Limerick	2:00pm – 4:00pm
Wednesday 01 <sup>st</sup> June	South Court Hotel, Limerick	7:00pm – 9:00pm
Wednesday 01 <sup>st</sup> June	Ardilaun Hotel, Galway	2:00pm – 4:00pm
Wednesday 01 <sup>st</sup> June	Ardilaun Hotel, Galway	7:00pm – 9:00pm

## Questions and Answer Resource Document

Following the seminars undertaken with early years providers in 2016, a substantial question and answer document was developed, and this was updated in December 2016. Questions were sought by the Early Years Inspectorate and submissions were received from providers, city and county childcare committees, and from other stakeholder groups.

The aim of this document is to assist the sector in understanding the regulatory requirements and support in compliance with the Child Care Act 1991 (Early Years Services) Regulations 2016 and the Child Care Act 1991 (Early Years Services) (Amendment) Regulations 2016. The document is framed around the 35 relevant regulations and also includes a section on miscellaneous questions.



**Questions asked to Tusla<sup>1</sup>**  
**Early Years Inspectorate**

With regard to:

Child Care Act 1991 (Early Years Services) Regulations  
 2016  
 and  
 Child Care Act 1991 (Early Years Services) (Amendment)  
 Regulations 2016.

For Early Years<sup>2</sup> services

<sup>1</sup>Child and Family Agency  
<sup>2</sup>The term 'Early Years' means that the term 'Early Years Services' is an overarching term that will include pre-school services, to some measure the term 'Pre-school services' will be used - reflecting the contents of the  
 Author: Tusla, Early Years Inspectorate  
 Revision date: 1<sup>st</sup> March 2017

Section of document	Regulations included
Part I: Preliminary and General	Regs 1-5
Part II: Registration and Register	Regs 6-8
Part III: Management and Staff	Regs 9-14
Part IV: Information and Records	Regs 15-18
Part V: Care of child in Preschool	Regs 19-22
Part VI: Safety	Regs 23-28
Part VII: Premises and space	Regs 29-32
Part IX: Inspection and enforcement	Regs 33-35
Miscellaneous questions	

## The Quality and Regulatory Framework (QRF)

The Early Years Inspectorate has engaged in an extensive process over the last three years to create a resource which sets out in a clear and transparent manner the parameters under which the Early Years Inspectorate will assess services for compliance with the Regulations.

### Steps in the development of the QRF

Development of this resource commenced in 2014, following publication by Tusla of a systematic analysis of over 3,000 inspection reports. The steps in this development are highlighted in Figure 7.

#### 2014: Systematic analysis of 3,000 inspection reports

- In 2014, Tusla published two reports based on a systematic analysis of over 3,000 inspection reports. The findings highlighted a need to achieve consensus on the parameters for inspection for each individual regulation.

#### 2015: Thresholds of evidence

- In 2015, the Early Years Inspectorate engaged in an extensive review process to identify and achieve consensus on thresholds of evidence for each regulation.

#### 2015-2016: Review of national and international best practice

- A substantial review of the peer-reviewed and grey literature on best practice in inspection and Early Years Service quality took place for the purpose of informing the inspection of individual regulations.

#### Build on the Q&A resource published in 2016

- The QRF will also build on the Q&A resource published by the Early Years Inspectorate in 2016, in response to queries raised by key stakeholders the Early Years Sector.

**Figure 7: Steps in the development of the QRF**

## **Overview of the QRF**

The QRF is child-centred, with a specific focus on the quality and safety of the care directly provided to children and on their care and learning journey while in the service. It will help services to comply with the relevant regulatory requirements and, in doing so, will improve the quality and safety of services provided to children within early years services.

Compliance is determined by an assessment of the amalgamated evidence under the four key areas to establish whether:

- The service is well governed
- The health, welfare and development of each child is supported
- Children are safe in the service
- The premises are safe, suitable and appropriate for the care and education of children.

## **Structure**

The QRF is structured to describe four key areas: Governance, Health, Welfare and Development of the Child, Safety, and Premises and Facilities. The regulations applicable to each area are grouped together under each of the four areas. Each regulation is prefaced by an interpretation of the regulations. This interpretation is informed by the national and international evidence of best practice in early years services. The intent of each regulation is described and the evidence of regulatory compliance for each regulation is set out. Where the scope of the regulation is particularly broad, regulations may be divided up into sub-elements.

## **Proposed developments on the QRF in 2017**

It is expected that work will continue with the QRF in 2017 and key elements will include:

- A preliminary consultation with key stakeholders based on a preliminary draft QRF;
- Consideration of feedback from these consultations;
- Integration of feedback from, and commentary on, the QRF;
- Revision and redrafting of the QRF;
- Incorporation of Q&A document into the QRF;
- A review of inspection reports of services and incorporation of any relevant data.

It is proposed that a draft QRF will issue in 2017 for consultation. This will be followed by a period of refinement and further development of the document prior to extensive consultation with registered providers and other stakeholders. It is envisaged that the consultation will be publicly available on line and each registered provider will be invited to participate.

It is expected that the final document will be published in 2018, although no set date has been agreed for full implementation. Information and training will be provided, and a significant lead-in time will be given before the Inspectorate will use this for the assessment of compliance.

## **The Early Years Inspectorate Consultative Forum**

The Forum, established in 2015, continued to provide an opportunity for relevant representatives and stakeholders to contribute to the ongoing reform and development of the Early Years Inspectorate. The Forum met on five occasions in 2016 and views of the group were elicited on a range of topics, including:

- The 2016 Regulations and changes;
- Registration process for new and existing services following the commencement of the 2016 regulations;
- Focused model of inspection for 2016 regulations;
- Nationwide information roll-out of briefings to the sector;
- Development of Q&A document on 2016 regulations.

The Consultative Forum will continue to meet in 2017 and the Inspectorate will continue to welcome and consider the views and opinions of the representatives and stakeholders of the Forum.

The terms of reference of the Forum, which include aims and objectives, roles and responsibilities, and membership, are available on the Tusla website, at [http://www.tusla.ie/uploads/content/TOR\\_Consultative\\_Group.pdf](http://www.tusla.ie/uploads/content/TOR_Consultative_Group.pdf)

The current membership of the Forum consists of:

- Chairperson National Manager Early Years Inspectorate
- National Manager Quality Assurance, Tusla
- Representative from the Department of Children and Youth Affairs (DCYA)
- Representative from groups including, but not limited to:
  - National Voluntary Childcare Organisations (five members)
  - Childcare committees Ireland (one member)
  - The Association of Childcare Professionals (one member)
  - PLE Network (Early Education and Care) (one member)
  - National Disability Authority (one member).

## **Representation of Inspectorate**

The Early Years Inspectorate is represented on a number of statutory and non-statutory organisations, including:

- National Collaborative Forum for the Early Years Care and Education Sector (The Early Years Forum (EYF) – DCYA)
- Board for Early Childhood and Primary National Council for Curriculum and Assessment
- Operations and Systems Alignment Group (OSAG), Tusla / DCYA Liaison Group Meetings, DCYA
- National Early Years Children First Committee
- Early Years Advisory Group, Department of Education and Skills (DES)
- Cross-sectoral Implementation Group (AIM).
- Working Group for the Access and Inclusion Model (AIM).

## Early Years Services Registered in Ireland

This section presents information on early years services, including the number, types and geographic spread of services, as well as closures that took place in 2016.

### Geographic Spread of Services

In December 2016, there were 4,507 early years services on the National Register and these were distributed across four regions, as set out in Table 5. These numbers represent a slight increase on the numbers notified to the early years services in 2015 (n = 4,465).

**Table 5: Number of Early Years Services on the National Register in December 2016**

Region	Geographic distribution	Number of services in December 2016
<b>West</b>	Cavan, Clare, Donegal, Galway, Leitrim, Limerick, Mayo, Roscommon, Sligo, Tipperary	1,151
<b>South</b>	Carlow, Cork, Kerry, Kilkenny, Tipperary, Waterford, Wexford	1,073
<b>Dublin North East (DNE)</b>	Cavan, Dublin, Louth, Meath, Monaghan	1,019
<b>DML</b>	Dublin, Kildare, Laois, Longford, Offaly, Westmeath, Wicklow	1,264
<b>Total</b>		4,507

### Type of Services

Services may be registered to provide one or more types of service, but each must identify a main service type. Different types of services include:

**Childminding service:** a pre-school service, which may include an overnight service offered by a person who single-handedly takes care of pre-school children, including the childminder's own children, in the childminder's home, for a total of more than three hours per day, except when the exemptions in Section 58L of Part XII the Child and Family Agency Act 2013 apply.

**Sessional pre-school service:** means a pre-school service offering a planned programme to pre-school children for a total of not more than three-and-a-half hours per session. Services covered by the above definition may include pre-schools, playgroups, crèches, Montessori pre-schools, Naíonraí, childminders, or similar services which generally cater for pre-school children.

**Part-time daycare service:** a pre-school service offering a structured daycare service for pre-school children for a total of not more than three-and-a-half hours and less than five hours per day, and which may include a sessional pre-school service for pre-school children not attending the full daycare service. Services covered by the above definition may include pre-schools, playgroups, crèches, Montessori pre-schools, Naíonraí, childminders, or similar services which generally cater for pre-school children.

**Full daycare service:** a pre-school service offering a structured daycare service for pre-school children for more than five hours per day, and which may include a sessional pre-school service for pre-school children not attending the full daycare service. Services such as those currently described as day nurseries and crèches are included in this definition.

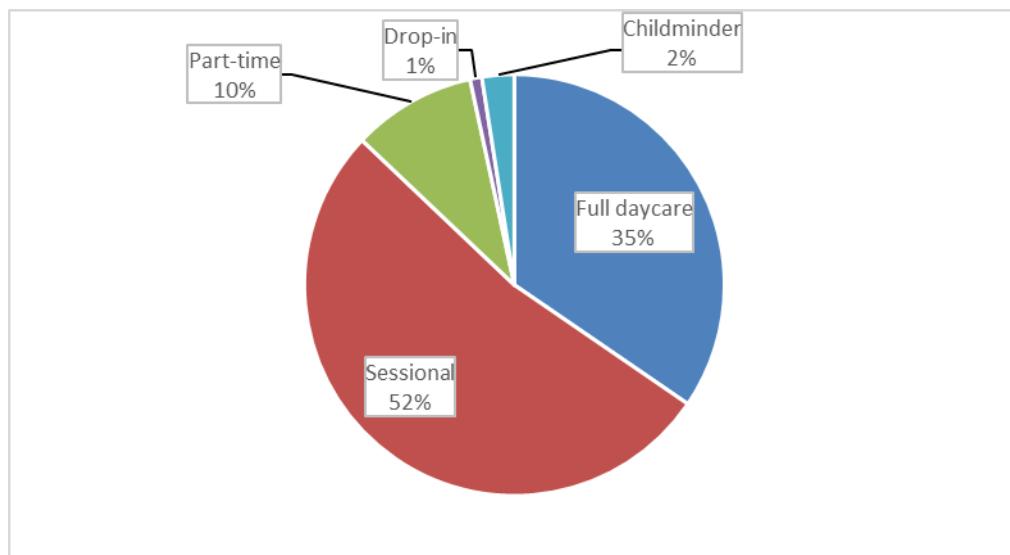
**Pre-school service in a drop-in centre:** a pre-school service offering day care, which is used exclusively on an intermittent basis. This refers to a service where a pre-school child is cared for over a period of not more than two hours, while the parent or guardian is availing of a service or attending an event. Such services are located mainly in shopping centres, leisure centres or other establishments, as part of a customer / client service.

**Temporary pre-school service:** a pre-school service offering day care exclusively on a temporary basis. This refers to a service where a pre-school child is cared for while the parent or guardian is attending a one-off event, such as a conference or a sports event.

**Overnight pre-school service:** a service in which pre-school children are taken care of for a total of more than two hours between the hours of 7:00 pm and 6:00 am, except where the exemptions provided in Section 58L of Part XII of the Child and Family Agency Act 2013 apply.

#### **Number of different types of services registered with Tusla**

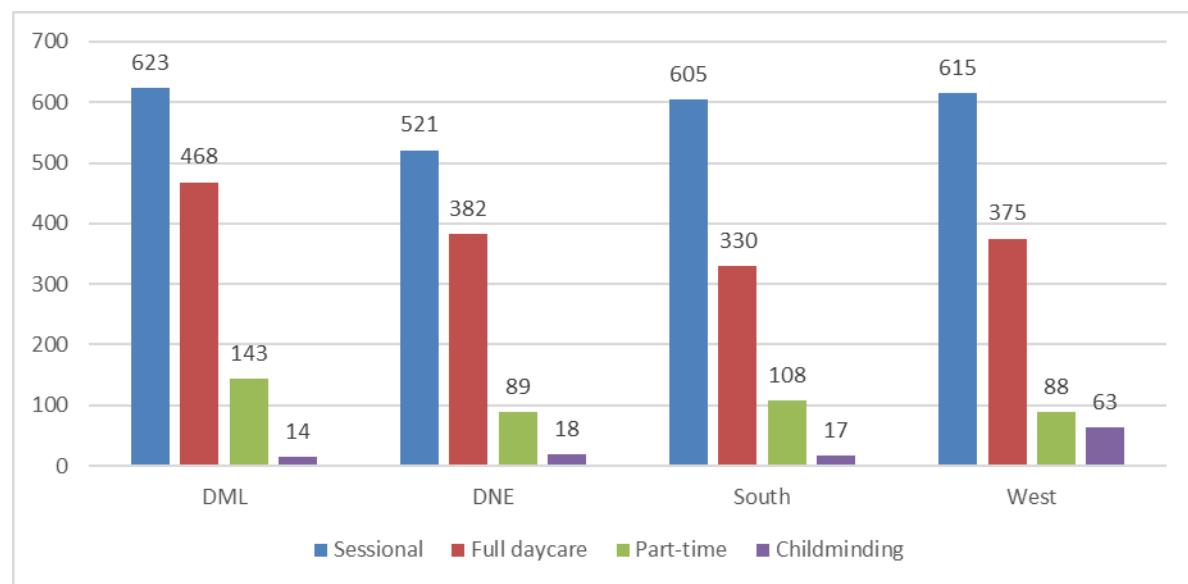
The most common type of main service is a sessional service (52%; n = 2,364), followed by full day care (35%; n = 1,555) and part-time (10%; n = 429). Only 1% of registered services are drop-in (n = 42) and 2% childminders (n = 112). Only two temporary services were on the National Register at the end of 2016 and there were no overnight services (Figure 8).



**Figure 8: Percentage of services by main type provided**

#### **Types of services by region**

All five services are available in each region. Sessional services account for 52% of all main services registered, although the proportion ranges from 49% (n = 623) in DML to 56% (n = 605) in the South region (Figure 9). Full daycare services are the next most common type of main service registered (35%) and the proportion by region ranges from 31% in the South to 37% in DML. The South has a higher number of registered childminding services (n = 63) than the remaining three areas combined (n = 49), while the number of registered drop-in services is low in all areas (n = 8 to 13).



**Figure 9: Type of service by region**

#### **Commercial status of services (profit or non-profit-making)**

About one-quarter ( $n = 1,084$ ; 24%) of all early years services are designated non-profit-making. Substantial differences are identified in respect of location. In the regions of the West (31%;  $n = 363$ ) and South (32%;  $n = 345$ ), about one third of early years services have a non-profit status and this compares with much lower levels in DML (15%;  $n = 193$ ) and DNE (18%;  $n = 183$ ) (Table 6).

**Table 6: Number and percentage of Early Years Services with non-profit status**

	Number of Early Years Services with non-profit status	Percentage of Early Years Services with non-profit status
<b>West</b>	<b>363</b>	<b>31%</b>
<b>South</b>	<b>345</b>	<b>32%</b>
<b>DML</b>	<b>183</b>	<b>15%</b>
<b>DNE</b>	<b>193</b>	<b>18%</b>

About three-quarters of full daycare ( $n = 1,553$ ; 75%) and sessional ( $n = 2,362$ ; 75%) services are for profit, compared with just under 60% of part-time ( $n = 251$ ; 58.9%) services.

#### **Services Registered for the First Time in 2016**

In accordance with Regulation 6 of the 2016 Regulations, services were required to register with Tusla from the first of July 2016. In total, 4,507 services were on the National Register at the end of 2016. The number of new services in 2016 is presented in Table 7.

**Table 7: Number of new services by quarter and by region**

	Quarter 1	Quarter 2	Quarter 3	Quarter 4	Total
<b>DML</b>	11	140	19	0	170
<b>DNE</b>	2	80	22	1	105
<b>South</b>	5	64	5	7	81
<b>West</b>	15	61	0	0	76
<b>Total</b>	33	345	46	8	432

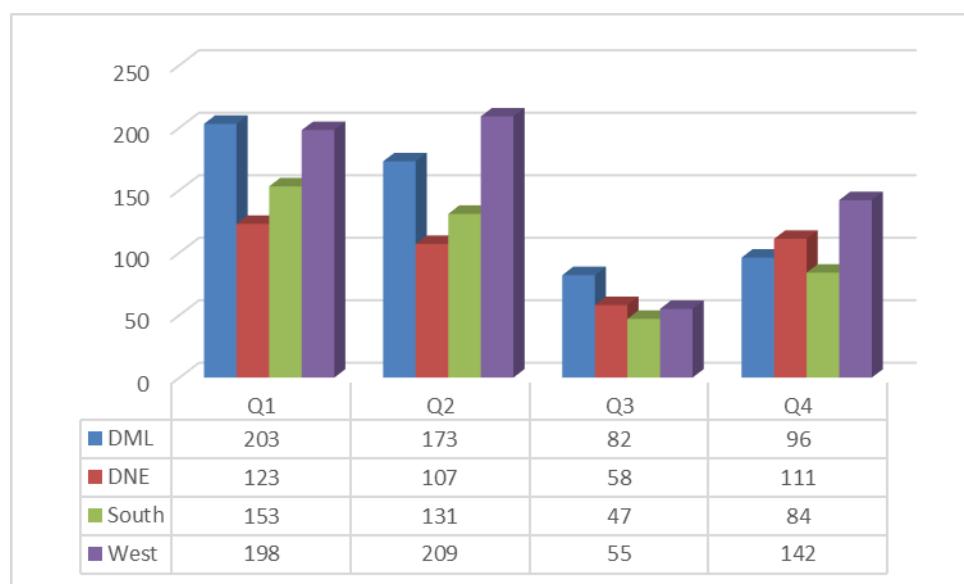
## Services Inspected in 2016

A total of 2,008 of Early Years Services were inspected in 2016. Of these, 1,972 were with existing services and 36 were with new services seeking to register under the 2016 Regulations ('Fit for Purpose Inspections').

### Existing services

The total number of existing early years services that received an inspection during 2016, including initial, annual, review, complaints and focused inspections, was 1,972 and this accounts for 44% of all services. The highest number of inspections took place in the West (n = 604) and these account for 31% of all inspections in 2016. The DNE area reported the lowest number of inspections (n = 399) and accounts for 20% of inspections. This region also reported the lowest number of inspectors (9.8 whole time equivalent inspectors).

All regions showed a reduction in the number of inspections in quarter 3, and this was influenced by the revised regulations which were commenced on the 30 June 2016 (Figure 10).



**Figure 10: Number of inspections by quarter in 2016**

### Proportion of all existing services inspected by region

The percentage of existing services inspected in 2016 by region varied from 39% (DNE; South) to 52% (West) and this is highlighted in Table 8. Each of the four regions showed a decrease in the proportion of overall services inspected in 2016 over the previous year. The largest decrease was in the South, where 68% of all services were inspected in 2015, compared with 52% of services in 2016.

**Table 8: Number and proportion of services inspected in 2015 and 2016**

	Number of inspections in 2015	Percent of overall services inspected in 2015	Number of inspections in 2016	% of overall services inspected in 2016
<b>DML</b>	454	37%	554	44%
<b>DNE</b>	474	46%	399	39%
<b>South</b>	591	55%	415	39%
<b>West</b>	784	68%	604	52%
<b>Total</b>	2,303	52%	1,972	44%

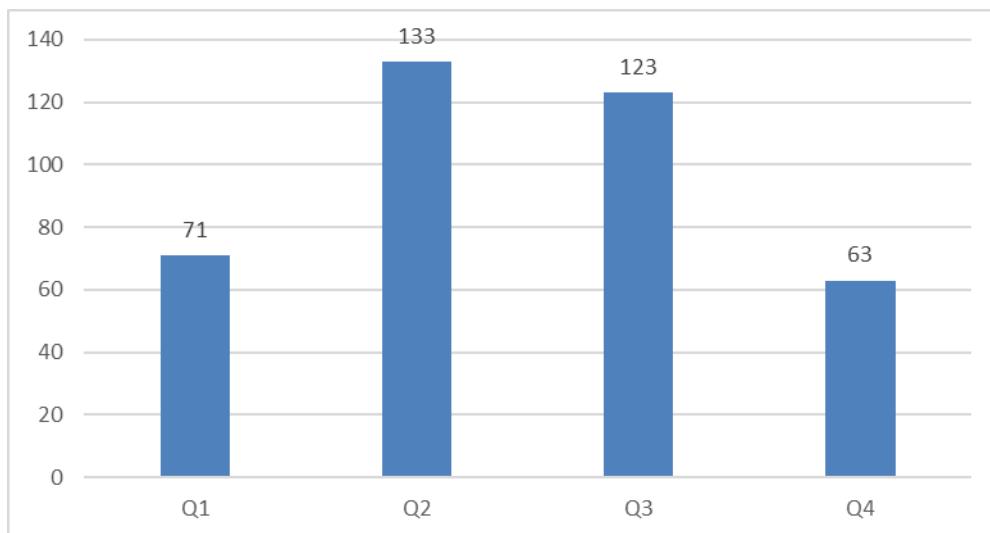
## 'Fit for purpose inspections'

In addition to the 1,972 inspections carried out on existing services, 36 'Fit for Purpose Inspections' were carried out, as required, on all new services seeking to register under the 2016 Regulations. These were distributed across regions as follows:

- DML: 8
- DNE: 7
- South: 13
- West: 8.

## Services Closed in 2016

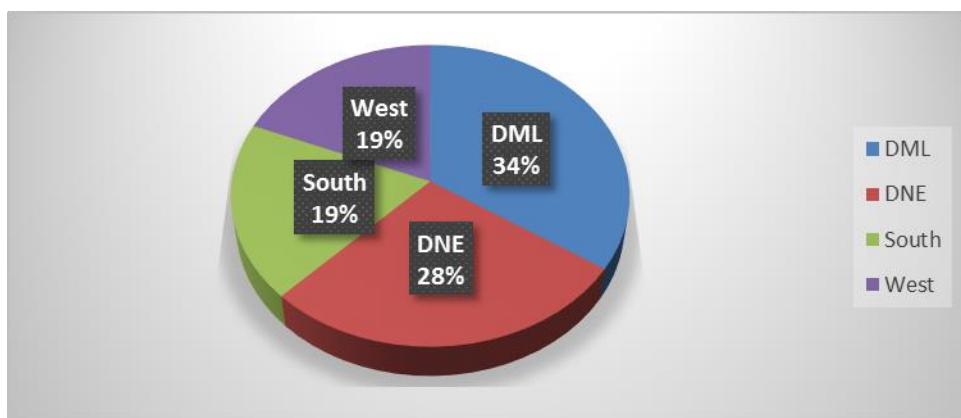
There were 390 services that closed in 2016. The highest number closed in quarter 2 ( $n = 133$ ) and the lowest in quarter 4 ( $n = 63$ ) (Figure 11).



**Figure 11: Number of closed services by quarter**

## Services closed by region

The highest number of services closed in DML ( $n = 134$ ), followed by DNE ( $n = 109$ , the South ( $n = 74$ ) and the West ( $n = 73$ ) (Figure 12).



**Figure 12: Percentage of closures by region**

## Outcomes from Early Years Inspections

This section presents an overview of the findings from an analysis of 288 inspection reports carried out by Early Years Inspectors between June and December 2016. A more detailed analysis is available in the Appendix.

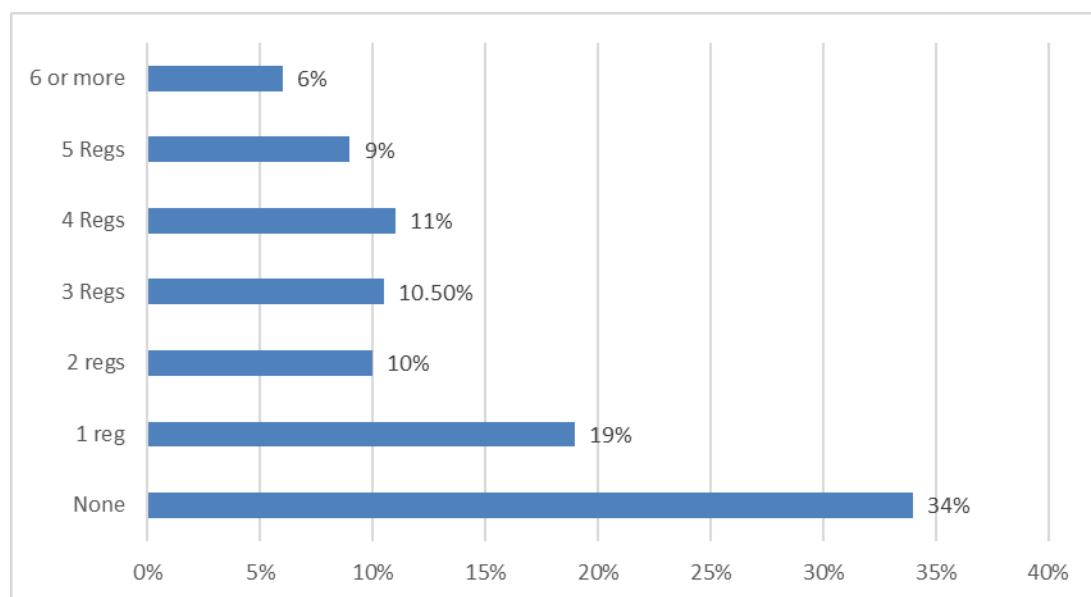
The focus of the analysis is on:

- Describing the extent to which early years services overall comply with the regulations;
- Identifying key issues arising in respect of noncompliance;
- Comparing findings across key service and geographic characteristics.

### Overall Service Compliance

Findings relating to compliance and noncompliance, based according to individual services and by specific regulations, are presented here.

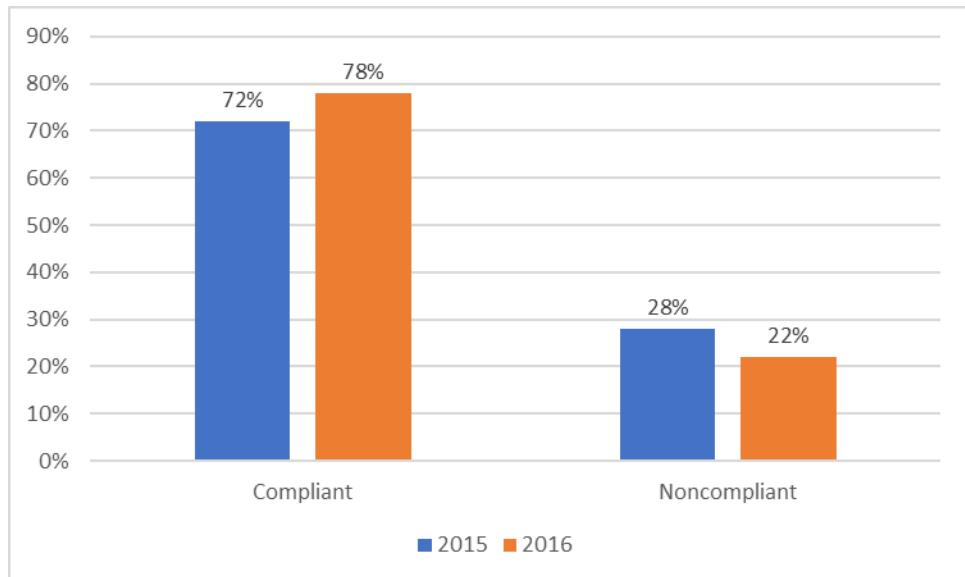
In this analysis, about one-third of services (34%) assessed were found to be compliant across all regulations included in their inspection, and a further 30% were assessed as having three or fewer noncompliant regulations. Only 6% of inspected services were assessed as having more than five noncompliant regulations (Figure 13).



**Figure 13: Percentage of services according to the number of noncompliant regulations**

### Regulation Compliance and Noncompliance

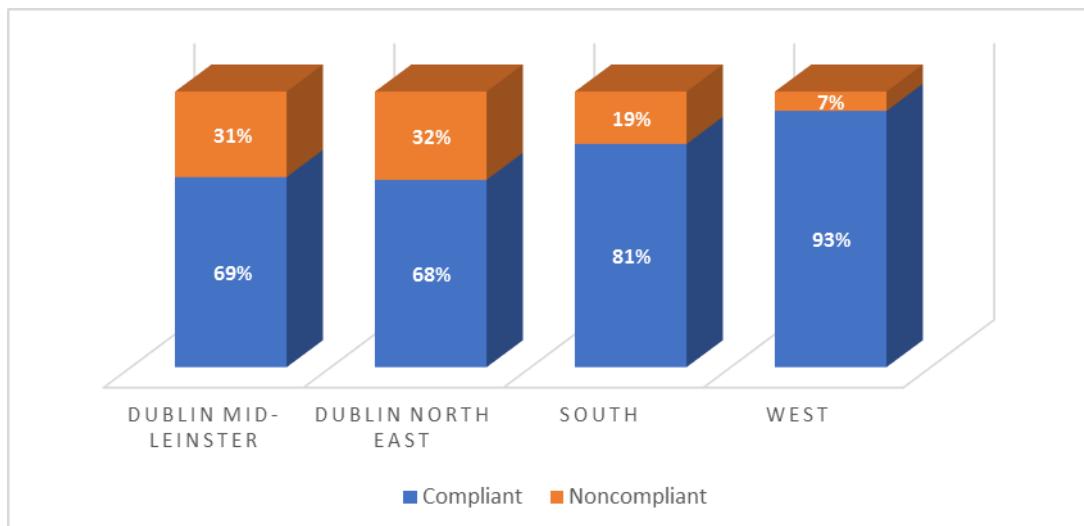
The findings show that 78% ( $n = 2,036$ ) of regulations overall were assessed as being compliant and the remaining 22% ( $n = 575$ ) as noncompliant. This is a very positive finding overall and represents an improvement on the 2015 compliance levels where 28% of regulations were found to be noncompliant.



**Figure 14: Percentage of regulations assessed as compliant and noncompliant in 2015 and 2016**

### Regional Differences in Levels of Compliance and Noncompliance

There are differences in the proportion of regulations assessed as compliant, according to the geographic region. The level of compliance ranged from 93% ( $n = 719$ ) in the West to just over two-thirds of regulations assessed in DML (68.9%;  $n = 593$ ) and DNE (68%;  $n = 350$ ). About 80% (81%;  $n = 374$ ) of regulations assessed in the Southern region were reported to be compliant (Figure 14). These findings are like the regional pattern relating to complaints received about services where these were highest in the DNE and DML areas and lowest in the South and West areas.



**Figure 15: Percentage of regulations assessed as compliant and noncompliant by region**

### Differences by Type of Service Inspected

As noted earlier, the number of childminding ( $n = 7$ ; 70 regulations assessed) and drop-in ( $n = 2$ ; 19 regulations assessed) services assessed by Early Years Inspectors was low, and consequently the findings relating to these should be treated with caution.

Across the remaining three types of services, regulations assessed in sessional services were most likely (83%;  $n = 1,244$ ) and those in full daycare services (68%;  $n = 545$ ) least likely to be assessed as compliant. Just over three-quarters of regulations (76%;  $n = 172$ ) assessed in

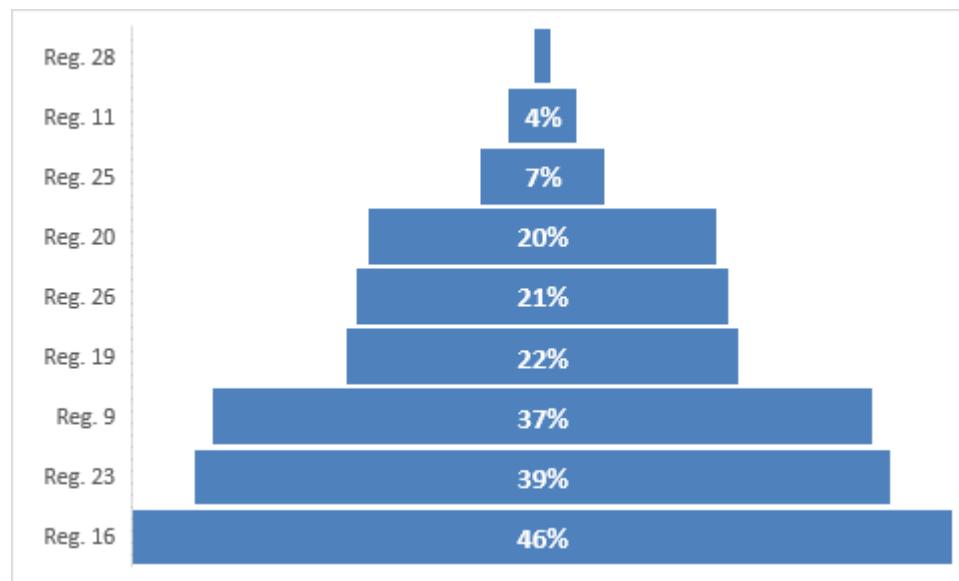
part-time services were found to be compliant. This trend is the same as that identified in 2015, although the findings show an improvement across all types of services compared with the 2015 data.

**Table 9: Percentage compliant and noncompliant by type of service**

	Percent compliant	Percent noncompliant	Number of regulations assessed
<b>Childminding</b>	86%	14%	70
<b>Drop-in</b>	79%	21%	19
<b>Full daycare</b>	68%	32%	798
<b>Part-time</b>	76%	24%	226
<b>Sessional</b>	83%	17%	1,498

## Compliance and Noncompliance by Individual Regulations Assessed

This section reports on levels of compliance and noncompliance across the nine most commonly assessed regulations. The findings show substantial differences according to the regulation under assessment.



**Figure 16: Percentage of noncompliant services by individual regulation**

The regulations most likely to be identified as noncompliant are:

- Regulation 16 (Record in relation to the pre-school service) was found to be noncompliant in almost half of all services (46%).
- Regulation 23 (Safeguarding health, safety and welfare of child) assessed as noncompliant in 39% of services.
- Regulation 9 (Management and recruitment) assessed as noncompliant in 37% of services.

The regulations most likely to be assessed as compliant are:

- Regulations 28 (Insurance; 99%), 11 (Staffing levels; 96%) and 25 (First aid; 93%), which were assessed as compliant in over 90% of services assessed
- Regulation 26 (Fire safety measures; 79%); Regulation 20 (80.5%; Facilities for rest and play); and Regulation 19 (Health, welfare and development of child; 78%), where about 80% of services assessed were found to be compliant.

## Summary of key Issues Arising in Respect of Regulations Assessed

Content and thematic analysis was conducted on the noncompliant findings relating to the individual regulations, and these are now presented. A summary of key issues arising in respect of noncompliance according to each regulation is now presented (Table 10).

**Table 10: Summary of key issues arising in respect of noncompliance**

Regulation	Focus of regulation	Percent noncompliant	Number noncompliant	Areas of concern
<b>9</b>	Management and recruitment	37%	106	Two validated references not available for all staff (n = 78) Garda vetting not in place for all staff (n = 59)
<b>11</b>	Staffing levels	4%	12	Insufficient adult: child ratio (n = 12)
<b>16</b>	Record in relation to pre-school service	46%	132	Absent or inadequate policies in the following areas: <ul style="list-style-type: none"> <li>• Administration of medication (n = 60)</li> <li>• Infection control (n = 48)</li> <li>• Outings policy (n = 44)</li> <li>• Positive behaviour management (n = 33)</li> <li>• Healthy eating (n = 28)</li> <li>• Safe sleep (n = 20)</li> </ul> Staff rotas inadequate / incomplete (n = 13)
<b>19</b>	Health, welfare and development of child	22%	63	Basic needs of children (n = 43) Programme (n = 10) Physical and material environment (n = 10) Relationships around children (n = 3)
<b>20</b>	Facilities for rest and play	19.5%	56	Rest (n = 19) Sleep (n = 20) Outdoor area (26)
<b>23</b>	Safeguarding health, safety and welfare of child	39%	112	General safety (n = 80) Infection control (n = 53) Outdoor area (n = 31) Medication management (n = 20) Outings (n = 13)
<b>25</b>	First aid	7%	19	First aid box (10) Person trained in first aid for children not available on the premises (9)
<b>26</b>	Fire safety measures	21%	61	Records of fire maintenance (n = 51) Fire drills (n = 6) Notices not conspicuously displayed (11)
<b>28</b>	Insurance	1%	3	Evidence of current insurance cover for all children not available (n = 3)
<b>29</b>	Premises	100%	6	Temperature of the premises too hot (n = 1) or too cold (n = 5)
<b>30</b>	Minimum space requirements	100%	2	Overcrowding (n = 2)

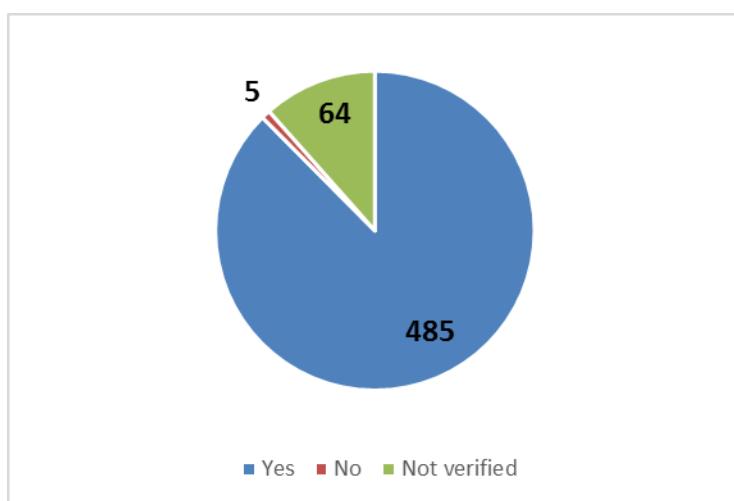
\*Some services had more than one area of noncompliance within individual areas

## Impact of Inspection on the Quality of Early Years Services

As noted above, changes took place in the inspection process in 2016, and Registered Providers now respond to findings of noncompliance and submit evidence of corrective and preventive actions to address the noncompliance arising. This data has been analysed and three possible outcomes were identified. These are:

1. **Yes. The Early Years Inspector is satisfied that the noncompliance has been addressed.** In some cases, copies of Garda vetting documents and references were provided, demonstrating that compliance had been achieved. In several cases, photographic evidence was submitted to illustrate changes made, and this was particularly the case in respect of safety issues arising.
2. **Yes. But, not verified (NV) where the Early Years Inspector was satisfied that the noncompliance has been addressed. However, this would be verified at the next inspection.**
3. **No. The Early Years Inspector was not satisfied that the necessary changes had been made, and the service remained noncompliant in respect of the particular regulation.** In such cases, the issues can be escalated and addressed through:
  - A Regulatory Compliance Meeting with the Registered Provider and the Inspection Registration Manager
  - Escalation to the Registration Panel for consideration of:
    - a) Proposal to attach conditions
    - b) Proposal to remove from the register.

An analysis of the findings relating to 554 noncompliant regulations demonstrates the effectiveness of the inspection process in addressing issues arising (Figure 17). The vast majority of services were reported to have achieved compliance across all regulations (87.5%; 485) at the time the inspection report was issued. A further 11.5% (n = 64) submitted information that was deemed compliant, but would need to be verified at the next inspection that took place (not verified).



**Figure 17: Impact of inspection on service**

Only five regulations continued to be noncompliant at the end of the inspection process. In two cases, Garda vetting was identified and in one of those cases it was noted that documentation of ongoing attempts to obtain vetting had been received by the Inspector, but as it had not been achieved, the service continued to be noncompliant. In another case, some noncompliance within the regulation had been addressed, but others had not, thus resulting in a continuation of the noncompliance. Ongoing noncompliance results in a number of potential further steps, including an escalation process, the attachment of proposed conditions to registration, or the proposed removal of service from the register.

## Examples of Changes Made as a Result of the Inspection

Inspections have led directly to objectively verifiable improvements across a range of areas including:

**Governance:** through substantial increases in the numbers of staff members who are appropriately vetted and have two verified references; through changes to policies (such as medication management, outings, behaviour management) to reflect current best practice; and through changes in records held, particularly around fire safety and children's wellbeing.

**Children's safety:** through changes in the outdoor and indoor environment, to ensure that children are not placed at risk due to hazards, slips, falls, access to unsafe material / situations, and protection from unauthorised access to the service. Examples of changes include:

- Outdoor safety (e.g. placing secure lids on water tanks; erecting secure fencing to prevent unauthorised access to the service; removing hazards to children)
- Indoor safety (e.g. securing cord blinds; placing detergents out of the reach of children; fitting childproof locks to kitchen drawers)
- Ensuring that staff child ratios are correct and appropriate at all times.

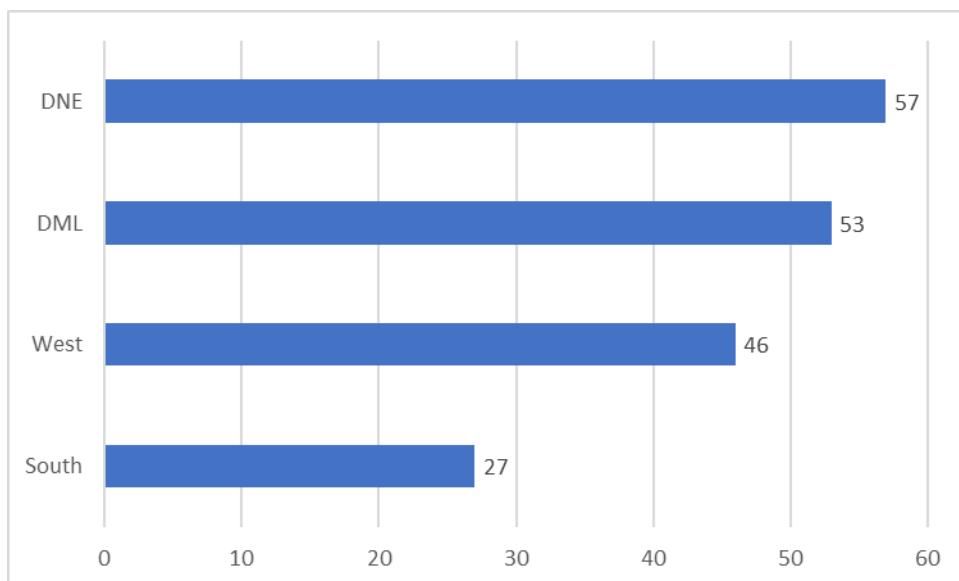
**Health, welfare and development of the child:** through improvements across a range of areas, including:

- Children's routines (e.g. supporting activities that are based on the children's interests, and facilitating child-led play)
- Food and nutrition provided to children (e.g. removing high-sugar yogurts and high-salt pizzas from the menu; ensuring that water is available to children throughout the day)
- The physical and material space provided for children and staff (e.g. replacing broken toys, and broken or inappropriate furniture; increasing the number of toys and the creation of areas of interest within individual rooms)
- Infection control (e.g. staff training; changes in policy to prevent spread of infection; appropriate materials for hand-washing and drying; and safe disposal of nappies)
- Safe sleep (e.g. ensuring that children are monitored while sleeping; maintaining room temperature at the correct level; removing unsafe cots and bedding)
- Changes in policies and procedures to reflect best practice, when taking children on outings; supporting positive behaviours; administering medication.

**Service facilities:** through rectifying problems with ventilation (e.g. installing air vents in rooms); sanitation (providing some privacy for children); and lighting (e.g. replacing broken lights).

## Complaints about Early Years Services

Complaints are a useful mechanism for monitoring quality in Early Years Services. In 2016, 207 complaints were received by the Early Years Inspectorate about 186 services. The lowest number of complaints was received about services in the South, which accounted for 15% of the overall complaints received, while the largest number related to services in DNE (n = 57), accounting for 31% of complaints. These were followed by services in DML (n = 53; 29%) and the West, where one-quarter of complaints (25%) related to services in that area (Figure 18).

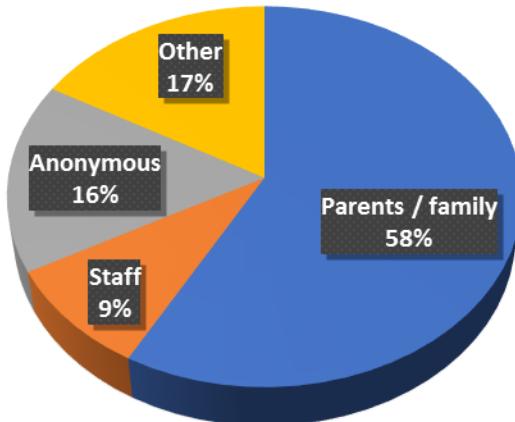


**Figure 18: Complaints by region in 2016**

### Source of complaints

Information is available on 155 complaints received by the Early Years Inspectorate. While these were received from a variety of sources, more than half (n = 90; 58%) came from parents or other family members. Employees or former employees made 14 complaints (9%) and 25 complaints (16%) were made anonymously. A variety of '*other*' sources were also identified, including neighbours, professionals, competitors, and concerned residents. These accounted for 26 complaints (17%) (Figure 19).<sup>3</sup>

<sup>3</sup> Percentages are rounded and add up to 99%.



**Figure 19: Source of complaints**

#### Complaints relating to the type of service

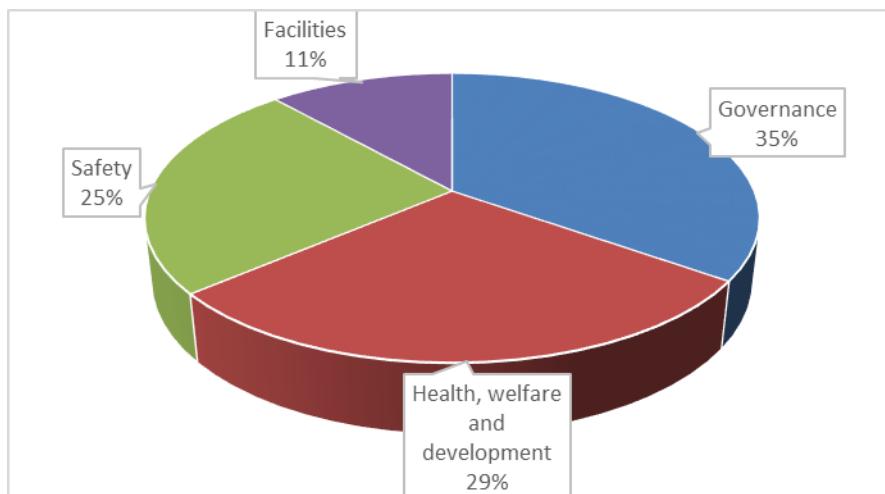
Information is available on the type of service about which complaints were made in 169 cases (Table 11). Within this figure, full daycare services accounted for nearly three-quarters (70%; n = 119) of complaints received, sessional services for 13% (n = 22), childminder services for 11% (n = 19) and part-time services for 5% (n = 9).

**Table 11: Number of complaints by type of service**

	Number of complaints (N = 169)
Full daycare	119
Part-time	9
Sessional	22
Childminder	19

#### Focus of complaints

Complaints were categorised according to the four broad areas of inspection. The highest number of complaints related to governance (n = 72) and the lowest to the facilities (n = 24). Sixty complaints were received about the health, welfare and development of the child, and 51 were received about safety issues (Figure 19).



**Figure 20 Focus of complaints received**

## **Appendix 1: Findings from an Analysis of Early Years Services Inspection Reports**

### **Overview**

The publication of the revised Early Years Regulations in 2016 resulted in significant changes in the inspection process, and these changes have facilitated the collation of additional information about services. In this analysis, all 288 inspection reports that took place between June and December 2016 have been taken into account. These reports were transformed into an analysable format using a customised IT programme.

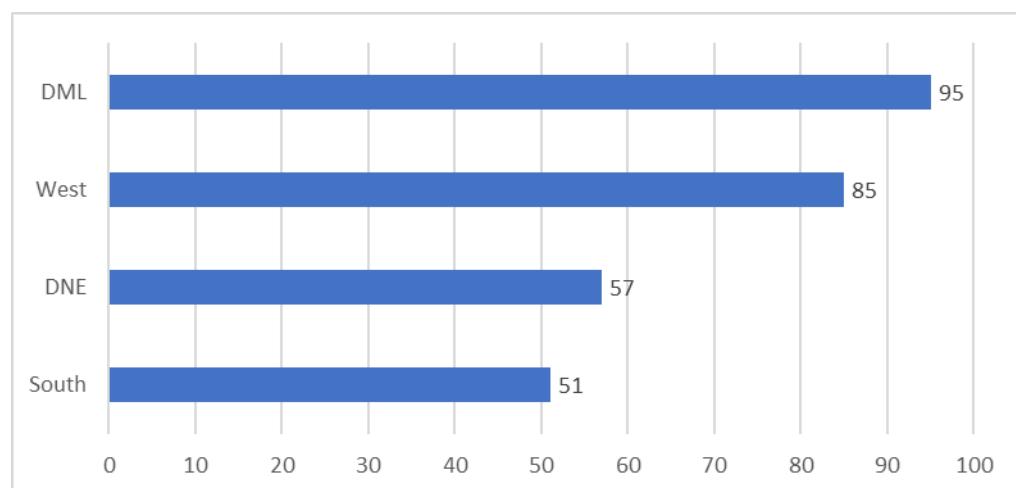
The purpose of this analysis is to:

1. Describe the extent to which early years services are compliant with the regulations
2. Identify key issues arising in respect of noncompliance
3. Compare findings across geographic and service characteristics
4. Ascertain the impact of inspections on early years services.

Both quantitative and qualitative analysis was conducted and all ethical considerations relating to anonymity and good practice in data protection were addressed.

### **Reports Available for Analysis**

Inspection reports were available for each of the four regions. A higher proportion of reports from DML (n = 95) and the West (n = 85) are included, compared with DNE (n = 57) and the South (n = 51).



**Figure AF1 Number of services inspected by region**

### **Number of inspection by type of service**

The majority of inspected services included in this analysis are sessional (n = 166) followed by full daycare services (n = 89). Only a few drop-in (n = 2), childminder (n = 7), and part-time (n = 24) services are included in this analysis.

**Table AT1: Type of services included in the analysis**

Type of service	Count
Childminder	7
Drop-in	2
Full daycare	89
Part-time	24
Sessional	166
<b>Grand total</b>	<b>288</b>

### Regulations Assessed

In total, 2,605 regulations were assessed and the focused approach to inspection is reflected in this, whereby a small number ( $n = 9$ ) of regulations (Regulations 9, 11, 16, 19, 20, 23, 25, 26, 28) were assessed in almost all 288 services. A further seven regulations together (8, 10, 12, 13, 15, 29, 30) accounted for only 20 assessments (Table AT2).

**Table AT2: Regulations assessed**

Regulation	Focus of regulation	Count
<b>8</b>	Notification of change in circumstances	2
<b>9</b>	Management and recruitment	285
<b>10</b>	Policies, procedures etc. of pre-school service	1
<b>11</b>	Staffing levels	288
<b>12</b>	Childminders	7
<b>13</b>	Temporary pre-school services and pre-school services in drop-in centres	1
<b>15</b>	Record of pre-school child	1
<b>16</b>	Record in relation to pre-school service	288
<b>19</b>	Health, welfare and development of child	288
<b>20</b>	Facilities for rest and play	286
<b>23</b>	Safeguarding health, safety and welfare of child	287
<b>25</b>	First aid	288
<b>26</b>	Fire safety measures	288
<b>28</b>	Insurance	287
<b>29</b>	Premises	6
<b>30</b>	Minimum space requirements	2
<b>Grand total</b>		<b>2,605</b>

### Detailed Findings Relating to Individual Regulations

This section presents the findings arising from a thematic and content analysis of individual regulations. The focus is on the noncompliant aspect of the assessment and examples of issues arising are provided for those regulations where 285-288 services were assessed. Information is provided in tabular format for the seven regulations (8, 10, 12, 13, 15, 29, 30), which together accounted for only 20 assessments.

## **Regulation 9**

### **Management and recruitment: 37% noncompliant**

- Noncompliance mainly relating to absence of two validated references for each member of staff and absence of Garda vetting

Regulation 9 refers to management and recruitment practices and 285 services were assessed in respect of this regulation. Of these, 37% (n = 109) were assessed as noncompliant. A content analysis of the information provided in the inspection reports highlights the following areas of concern, and these are:

- The availability of two validated references for each member of staff (78 services; 27% of all services)
- Garda / police vetting in respect of all staff members (59 services; 21% of services)
- Absence of a designated person at the time of inspection (2 services)
- Absence of an emergency contact person (1 service).

### **References for each member of staff**

More than one-quarter of all services (27%) assessed did not have the requisite two validated references for each member of staff, including volunteers and students, in place at the time of the inspection. In some cases, adults working in the service had no references on file: '*Two adults present did not have any references available for inspection*'.

In other cases, only one reference was available or, it was noted that available references were not '*validated*'. Validated references have been stated by the Early Years Inspectorate (2015)<sup>4</sup> to be as follows:

*'All references in the first instance should be received in writing. All references should then be confirmed and checked by telephone, letter or personal visit by the person carrying on the pre-school service with the person who wrote the reference. All of this must be recorded on the "personnel" file, having regard to Regulation 14.'*

### **Garda / police vetting**

The second issue arising in respect of Regulation 9 relates to Garda / police vetting of personnel and this was identified as a noncompliance in one in five (20%) of all services assessed. Personnel who had worked or lived abroad for more than six consecutive months in their adult life were particularly at risk of not having appropriate vetting. This is highlighted in the quote below:

*"International police vetting was not available from the relevant authorities for the Registered Provider and 1 staff member for the period of time that they had lived outside of the jurisdiction as an adult."*

In a few cases, the vetting documentation was not written in English, and a translation was sought by the Inspector.

<sup>4</sup> [http://www.tusla.ie/uploads/content/Q\\_and\\_A\\_Vetting\\_December\\_2015.pdf](http://www.tusla.ie/uploads/content/Q_and_A_Vetting_December_2015.pdf)

## **Improvements made to Regulation 9 in response to Inspection findings**

With the exception of three services, all were able to satisfactorily resolve noncompliance arising in respect of an absence of Garda / police vetting and an absence of two verified references for each member of staff within the service. This is highlighted in the comments below:

- *'All references on file have now been validated copies were submitted to the Early Years Inspector'.*
- *'The vetting disclosures were obtained for two persons and copies of these were submitted to the Early Years Office'.*
- *'The Registered Provider submitted a copy of the translated police vetting which was required for one adult'.*

Preventive actions were also outlined by Providers, and assurances were given that no future staff would not be employed without appropriate vetting in the future.

## **Regulation 16**

### **Record in relation to pre-school service: 46% noncompliant**

- Noncompliance mainly relating to absence or inadequacy of key policies and staff rosters incomplete or unavailable

Regulation 16 includes a strong focus on records relating to the pre-school service and there is a requirement within the 2016 Regulations for each service to develop, maintain, store and retain relevant service records. Almost half (46%; n = 132) of the 288 services inspected on this regulation were noncompliant. In general, the noncompliance concerned either the absence or the inadequacy of key policies relating to the service. The most commonly identified policy related to the administration of medication (Figure AF2). Some noncompliance highlighted the absence of required information such as '*A record of staff attendance [staff sign in and out] and a staff roster was not available*'. Others drew attention to insufficient detail provided, and this is highlighted in the quote below:

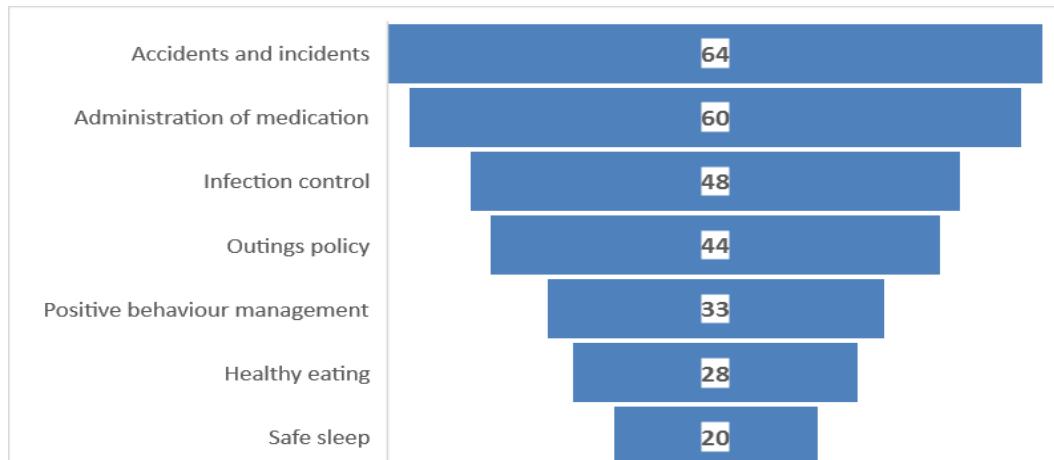
*'The administration of Medication Policy did not make reference to the following:*

- *The administration of emergency medication*
- *The medical history of the child*
- *The use of anti-febrile medication*
- *The storage of medication and labelling*
- *Emergency details*
- *Sunscreen'*.

In some cases, the noncompliance arose because of the inclusion of inappropriate information, such as that quoted below:

*The Policy on Behaviour Management stated that a "thinking chair" may be used in certain cases. This practice may be considered exclusionary and degrading and was not an appropriate method of behaviour management.*

Figure AF2 identifies the number of services assessed as noncompliant according to different policies, although it is noted that in some services, more than one policy was identified as noncompliant. The most commonly cited noncompliant policy under this regulation related to the '*Accidents & Incidents*' (n=64) followed by the '*Administration of medication*' (n = 60), '*Infection control*' (n = 48) and the '*Outings*' policy (n = 40).



**Figure AF2: Number of individual policies identified as noncompliant**

**Table AT3: Focus of noncompliance within individual policies**

Policy area	Examples of issues arising
Accidents and incidents policy	<p>'No specific policy on accidents and incidents in the service'.</p> <p>'No specified procedures detailing the steps to inform the child's parent or guardian in the event of an accident'.</p> <p>'Absence of signatures on accident records'.</p> <p>'No records in writings of the details of any accidents or incidents involving a pre-school child in the service'.</p>
Administration of medicines	<p>'The Administration of Medication Policy did not include information on medications administered, emergency medications, stated person responsible for administration of medication, second person documented to check and countersign for the administration of medicine, the medical history of the child, use of anti-febrile medication, the emergency details contacts, sunscreen and documentation'.</p>
Infection control	<p>'The procedure to be followed in the service to protect pre-school children attending the service from the transmission of infection was not outlined'.</p> <p>'The Policy on Infection Control did not make reference to hand hygiene, toileting practices or cleaning'.</p> <p>'The policy on infection control did not reflect the current national guidance for exclusion periods for some infectious illnesses, with particular reference to gastroenteritis (i.e. vomiting and diarrhoea)'.</p>
Outings policy	<p>'Outings Policy did not outline the following:</p> <ul style="list-style-type: none"> <li>• That risk assessments are carried out prior to each outing</li> <li>• A checklist for outings</li> <li>• [The availability of] a first aid box</li> <li>• A first aider being available for each outing</li> <li>• Methods of checking children, e.g. roll call / head count</li> <li>• Availability of a charged mobile phone'.</li> </ul>
Positive behaviour management	<p>'The Behaviour Management Policy did not include clear strategies or guidance for promoting positive behaviour, managing a child's challenging behaviour, or ... assist[ing] a child in managing his / her own behaviour according to the age and stage of development of the</p>

	<i>child’.</i>  <i>‘The Policy statements on Behaviour Management did not detail the practices prohibited, or how mild, moderate and challenging behaviour was managed in the service’.</i>
Healthy eating	<i>‘The Policy on Healthy Eating did not detail that:</i> <ul style="list-style-type: none"> <li>• <i>Food and portion sizes should be appropriate to ages and development needs of the children.</i></li> <li>• <i>Drinking water is available at all times</i></li> <li>• <i>Parents are advised if their child has not eaten well</i></li> <li>• <i>Staff sit with children during snack time and encourage good eating habits</i></li> <li>• <i>Parents are asked not to send in sweets, crisps, popcorn, biscuits or fizzy drinks to the service’.</i></li> </ul>
Safe sleep	<i>‘Policy inadequate as it did not include that a sleep log is maintained to record the physical checks of sleeping children.</i>  <i>The Safe Sleep Policy was not in line with best practice, as it stated that babies would be placed on their front (prone) to sleep if this was requested in writing by the parent’.</i>  <i>‘The Policy on Safe Sleep did not detail:</i> <ul style="list-style-type: none"> <li>• <i>A sleep log to record the physical checks of sleeping children</i></li> <li>• <i>The requirement to use a standard cot</i></li> <li>• <i>The requirement for children to be placed in the ‘feet to foot of cot’ position</i></li> <li>• <i>a child’s colour, position and breathing at the time of every 10-minute check’.</i></li> </ul>

### **Staff rosters**

Thirteen services were identified as noncompliant in respect of staff rosters. In some cases, rosters were not available: *‘There were no staff rosters available’*. In other situations, best practice in respect of the rosters was not adhered to, as noted below:

*While the designated person in charge was rostered to work 08:00 -17:00 most days, there was no evidence of it being documented in the staff sign-in record.*

### **Improvements made to Regulation 16 in response to inspection findings**

Opportunities to rectify incorrect, absent or inadequate policies were provided to Registered Providers following the inspection. Issues of noncompliance were deemed to have been rectified in all cases and the revised policies were reviewed by the Inspector. This is highlighted in the commentary below:

*‘Copies of the policies and staff roster have been submitted to the Office of the Early Years Inspector, reviewed and deemed satisfactory.’*

*‘Staff rosters and attendance records have been introduced and maintained on a daily basis. These will be signed by the manager on a weekly basis to ensure staff are signing in daily.’*

Assistance provided by the local County Childcare Committees was noted in four cases, as highlighted here:

*The Manager stated that the policies and procedures were reviewed and amended with the support of the [Name] County Childcare Committee.*

## **Regulation 19**

### **Health, welfare and development of the child: 22% noncompliant**

- **Noncompliance relates mainly to basic needs of children (n = 43); programme (n = 10); physical and material environment (n = 10); and relationships around children**

Regulation 19 focuses on the health, welfare and development of the child, and 63 services were identified as noncompliant in this area. The regulation is inspected on four main areas, and several of the 63 services were assessed as noncompliant around more than one area. These four areas are:

1. Basic needs of children (43 services assessed as noncompliant)
2. Programme (10 services assessed as noncompliant)
3. Physical and material environment (10 services assessed as noncompliant)
4. Relationships around children (3 services assessed as noncompliant).

Consideration is now given to the issues arising in respect of this regulation. The most common issue identified relates to the basic needs of children, whereby 43 services were identified as noncompliant (Table AT4).

**Table AT4: Examples of concerns raised in respect of Regulation 19**

<b>Area</b>	<b>Examples of issues arising</b>
Basic needs of children (43 services noncompliant)	<p><b>Eating (portions too small; food insufficiently nutritious; water not freely available; food not properly stored; self-feeding not facilitated):</b></p> <p><i>'The portion size of the morning snack was insufficient and the manner in which it was served to the children was unhygienic'.</i></p> <p><i>'The Healthy Eating Policy was not adhered to, as yoghurts with high sugar content and frozen pizza, which was high in salt and low in nutritional value, was provided to the children'.</i></p> <p><i>'Water was not freely available to children in the pre-school rooms'</i>.</p> <p><b>Toileting (timeliness, privacy, lack of facilities):</b></p> <p><i>'During verbal handover at collection time, one staff member was observed inappropriately discussing details of a child's toilet accident in front of a number of the children and parents at the front door'</i>.</p> <p><i>'Privacy was not maintained for toileting children, as they could be seen from the corridor'</i>.</p> <p><i>'There [was] an inadequate number of toilets for the number of children. The service had two toilets for 25 children'</i>.</p> <p><i>'It was observed that a child who required a nappy change had to wait 25 minutes'</i>.</p> <p><b>Clothing (inappropriate):</b></p> <p><i>'Three of the four children in the Wobbler / Toddler room had their trousers and socks removed for an extended period of time in preparation for sleep. This meant they were dressed only in their nappies and vests for a prolonged period of time, which included playing and eating their lunch'</i>.</p> <p><b>Sleep (balance of children's needs with service needs):</b></p> <p><i>'There was no provision made for the sleep needs of children outside of designated sleep times. This was evidenced by two children showing signs of over-tiredness but having to wait until after lunch before the room was prepared for sleep'</i>.</p>
Programme (10 services noncompliant)	<p><b>Children not provided with choice in activities, no activities available, curriculum planning not available:</b></p> <p><i>'Many of the activities and care practices were carried out as whole group activities when smaller groups with a key worker would have been more successful offering more one-to-one support and less opportunities for children to become bored or frustrated while waiting their turn'</i>.</p> <p><i>'There were no activities observed in the 'Wobbler' room to support</i></p>

<b>Area</b>	<b>Examples of issues arising</b>
	<p><i>'creative and manipulative development'.</i></p> <p><i>'Many of the children struggled to keep interested in the story but were requested to remain seated. An alternative activity was not offered to these children'.</i></p>
Physical and material environment (10 services noncompliant)	<p><b>Toys not available, accessible or inappropriate. Self-directed play not supported:</b></p> <p><i>'Ten interactive toys were broken either requiring new batteries or terminally broken'.</i></p> <p><i>'Many of the posters and wall displays on exhibit in the Montessori room were overly advanced from a literacy and numeracy perspective for the age, stage and development of the pre-school children currently attending the service'.</i></p> <p><i>'There were inadequate support materials available to promote imaginative play and communication'.</i></p> <p><i>'There were no clearly defined areas within the Wobbler / Toddler room to facilitate choices for play'.</i></p> <p><i>'Although low shelving was available in the Wobbler / Toddler room, most of the toys were stored in boxes with lids that could not be accessed without the assistance of an adult'.</i></p> <p><i>'Jigsaws did not have the accompanying illustration which would affect choice and make completing the puzzle beyond the capability of some of the pre-school children'.</i></p>
Relationships around children (3 services noncompliant)	<p><b>Inadequate supervision; lack of staff involvement; poor information to share about child:</b></p> <p><i>'Supervision in the outdoor area was inadequate at times, as some staff while present were not actively supervising...'.</i></p> <p><i>'Individual daily diaries were not maintained, and documentation of daily care was not available to parents, which is of particular importance for children under 3 years attending the service'.</i></p> <p><i>'The staff did not sit with the children at meal times'.</i></p>

### **Improvements made to Regulation 23 in response to Inspection findings**

Many improvements took place in services in respect to issues raised and, as with other regulations, only one service, relating to curriculum planning, failed to respond to noncompliance in a way that was deemed to have met regulatory requirements. Another Provider put a temporary system in place until a more permanent structural change could be made. All other issues of noncompliance were deemed to have been addressed.

Examples of improvements made include:

- **Basic needs of infants and children:** high-sugar yogurts and high-salt pizzas are no longer provided for the children and are not on the menu. Chairs have been replaced with lower ones so that children can now support themselves while feeding.

The service commenced a '*fish hydration*' initiative from [www.fishhydration.com](http://www.fishhydration.com), to encourage the children to drink water throughout the day in the service. All children's shoes and jackets are removed at sleep time.

- **Programme:** a new routine / curriculum has been implemented in all rooms to ensure that all activities are based on the children's interest and are child-led. All childcare practitioners have been reintroduced to the Aistear Framework and the importance of autonomous learning and play.
- **Physical and material environment:** old and torn books have been removed and replaced. All jigsaws with missing pieces, and worn or torn images, have been discarded and replaced. Three areas of interest, as well as a child-led activity, are provided for the children prior to lunch. Sleep mats are not put out until after lunch.
- **Relationships around children:** staff are now sitting at eye level with the children and converse with them during mealtimes.

## **Regulation 20**

### **Facilities for rest and play: 19.5% noncompliant**

- **Main areas relating to rest (n = 19); sleep (n = 20) and outdoor area (n = 26)**

**Table AT5: Examples of concerns raised in respect of Regulation 20**

Area	Concerns raised
Rest	<p><b>Key concerns: absence of, or lack of suitable and adequate facilities</b></p> <p><i>'In pre-school room [Name], there were no rest areas provided for children to rest and relax if required.'</i></p> <p><i>'There were insufficient soft furnishings present in the pre-school room to provide suitable and adequate rest facilities for the pre-school children.'</i></p>
Sleep	<p><b>Key concerns: temperature of sleep room; lack of cots; mattresses in disrepair; space between cots:</b></p> <p><i>'The temperature in the sleep room was checked by the Inspector on three occasions while children were sleeping: 26.9°C at 10:30 am, 23.5°C at 12:05 pm and 21.4°C at 3:30 pm. Despite the fact that staff were made aware of the temperature recordings, and tried to address this issue, it was not possible to maintain the temperature of the room at recommended levels of 16°C -20°C.'</i></p> <p><i>'There were 22 children less than 2 years of age present at the time of inspection and 15 of these children slept on sleep mats'.</i></p> <p><i>'Mattresses were 'badly stained', had 'no waterproof cover', were 'torn', and one cover 'had two holes in it'.</i></p> <p><i>'Space between cots does not meet the requirement to be 50 cm apart'.</i></p>
Outdoor area	<p><b>Key concerns: lack of safety measures in place to protect the children while they were outside. Attention was particularly drawn to:</b></p> <p><b>Unsuitable or unsafe outdoor play equipment:</b></p> <p><i>'Play equipment which was rusty and broken, such as tricycles, scooters, and the sand pit which was provided in the outdoor area was not suitable for play purposes'.</i></p> <p><b>Lack of security:</b></p> <p><i>'The gate in the outdoor area had a low bolt and could potentially be opened by a pre-school child', and 'the exit gate in the outdoor play area to the side of the premises was unlocked. The pre-school children were at risk of gaining unsupervised access to a car park and to a residential area, and unauthorised persons could gain access to the children'.</i></p> <p><b>Hazards:</b> Tripping hazards, in particular, were identified in a number of cases.</p>

## **Improvements made to Regulation 23 in response to inspection findings**

Improvements were made in respect of each of the areas of noncompliance identified during the inspection, and all services subsequently provided evidence (photographic and written) to the Early Years Inspectorate of changes made. This included:

- The removal of tripping hazards and unsafe or inappropriate equipment from the outdoor area, as highlighted in the quote below:

*'The Registered Provider states that play materials for physical and gross motor play are available outdoors and the area is tidy and clutter free. Grass is kept short to make it safe for the children to play on. Broken toys and equipment have been removed. Outdoor toys and equipment are maintained weekly. Toys will be changed every term based on children's needs and emerging interests.'*

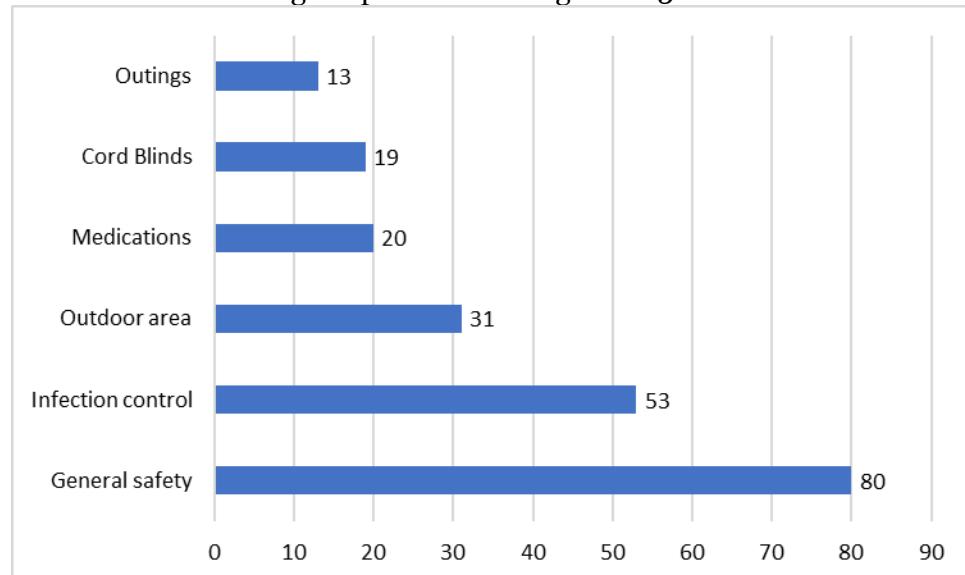
- The provision of more appropriate facilities for children to rest: *'There is a large bean bag, cushions and blankets now available'.*
- Improving the security of the outdoor area by ensuring gates are locked: *'A lock was fitted to the slide lock of the gate to prevent unauthorized persons gaining access to the premises or the pre-school children and Childcare Policies & Procedures has been updated to include reference to locking of gate.'*

## **Regulation 23 Safeguarding Health, Safety and Welfare of Child**

### **Safeguarding the health, safety and welfare of the child: 39% noncompliant**

- Main issues relate to: general safety (n = 80); infection control (n = 53); outdoor area (n = 31); medication management (n = 20); outings (n = 13)

Almost 40% of services were assessed as noncompliant in respect of Regulation 23, and common issues arising are presented in Figure AF3.



**Figure AF3 Number of services assessed as noncompliant by specific area<sup>5</sup>**  
**General safety**

<sup>5</sup> Some services were identified as noncompliant in a number of these areas.

General safety problems were identified in 80 services and some services were identified as having several safety issues, both indoors and outdoors. Issues identified included hazards; lack of supervision of children; unauthorised access to the service; and access by children to unsafe materials.

**Hazards:**

*'Trailing flexes, trip hazards due to unsafe flooring; Clothing items were stored in and around the gas boiler unit in the lobby.'*

*'The cable from the baby monitor was adjacent to one of the cots where a child could access the cable.'*

*'A full water tank with a loose top was noted in the outdoor area which could lead to a potential risk of drowning should a pre-school child climb up and fall in.'*

*'The pavement at the back of the house on the edge of the garden had two large cracks which could lead to a potential trip injury to a pre-school child.'*

**Lack of supervision:**

*'Children were seen standing at the top of the slide in the outdoor area while the two adults in the area were engaged in a hand-painting activity with other children.'*

*'The swing in the outside area was not adequately supervised at all times and an incident was observed, where the child on the swing knocked over another child. During the inspection it was noted that children in the baby / wobbler room could open the exiting doors which led to the front hallway, back door and sleep room, due to the fact that the door handles were too low.'*

**Unauthorised access to the service:**

*'The external door to the service was not secured to prevent unauthorised access and unsupervised exit of a child. The inspector entered the premises unchecked on the day of the inspection.'*

*'The gate at the side of the outdoor play area did not prevent unauthorised access to the children's outdoor play area.'*

**Access by children to unsafe materials:**

*'A roll of black plastic refuse sacks was stored on low shelving behind a curtain in the bathroom hand washing area and was accessible to a pre-school child. The water temperature in the children sink was too hot at 55 °C, which exceeded the maximum safe temperature of 43°C. While it was not observed on the day, the communication book detailed that shaving foam is on occasion used for play. Shaving foam is prohibited as it is a potential irritant'.*

**Blind cords**

As with the findings in the 2015 Annual Report, safety issues were identified in respect of blind cords. In 2015, 7% of services included for in-depth analysis and review (n = 500) were identified as being noncompliant in this area. In this review, 18 services (6.25%) were found to be noncompliant:

*'A blind cord was noted hanging loosely in the gym which could lead to a potential risk of strangulation to a pre-school child.'*

*'Window blind cords were observed hanging loosely in a room used by toddlers, which posed a potential risk of strangulation to a pre-school child.'*

*'In the pre-school room cord blinds were not secured, posing a potential strangulation risk.'*

*'It was observed in the pre-school rooms that the window blind cord holders were too small and did not create enough tension on the cords. Therefore, they were hanging loosely and could cause a potential risk of strangulation to a pre-school child.'*

*'The looped blind cords were loosely secured to the wall in a first-floor care room on the premises. The height is accessible to the pre-school children attending the service. This was identified as a hazard, due to the risk of strangulation.'*

### **Infection control**

Fifty-three services were identified as noncompliant in respect of infection-control measures. These issues generally related to handwashing by staff and children:

#### **Hand washing:**

*'Overall the hand washing practice witnessed in the service was poor and varied among staff.'*

*'The children's hands were not routinely washed before eating their snack or following outdoor play.'*

*'Attention to hand hygiene was inconsistent with no hand washing of children's hands occurring before snack time and only occasionally after toileting.'*

#### **Lack of suitable equipment to support good hygiene:**

*'In the nappy-changing area, a swing-lidded bin was provided for the disposal of nappies, which was not suitable for infection control purposes. A child was observed placing their hands in the bin while waiting for a nappy change.'*

*'Individual hand cloths were available and washed once a week, which was ineffective for infection-control purposes. The sleep mats were stored with linen on them in an unhygienic manner, which posed a risk of cross-infection for the children using them.'*

**Outdoors area:** there were three main areas of concern, as follows:

#### **Security of the outdoor space:**

*'The outdoor area where children had daily access was not secured as the latch on the gate was at a level accessible to a pre-school child and the bolt on the lower aspect of the gate was unlocked.'*

#### **Risk of injury arising:**

*'The following hazards were identified in the outdoor area which could cause an injury to a child; 1. A small glass window in a shed was broken exposing sharp edges and was accessible to a child. 2. Cement tiles were stored on the ground in the nature garden area. 3. A wire clothes line had broken and was on the ground. 4. Stagnant water had accumulated in a circular container.'*

#### **Unsuitable outdoor play equipment:**

*'A wooden cover for the sandpit in the outdoor garden area was warped and cracked and splinters posed a potential risk of injury to a pre-school child. A discarded microwave was stored in the outdoor play area.'*

**Medications:** the main issues arising in respect of medications related to the absence of a medications policy, and a failure to get signed parental consent for the administration of non-prescription medications.

**Outings:** as with the medications issue, concerns relating to outings were generally focused on an incomplete outings policy or a failure to adhere to the policy in place.

*'The safety precautions required for the safe conduct of an outing were not completed, i.e. a risk assessment carried out prior to the outing. The first aid box was not brought on the outing or contact details for parents.'*

### **Improvements made to Regulation 23 in response to Inspection findings**

Following the inspection, it was possible for all areas identified as noncompliant to be rectified and many examples of improvements were provided. These improvements related to general indoor and outdoor safety; ensuring blind cords were secured; and enhanced infection control measures. Examples include:

#### **General safety:**

*'The pavement with the large cracks at the back of the house on the edge of the garden had been repaired on [date]. A secure lid had been placed on the water tank.'*

*'The Registered Provider stated that a pest control company was hired to remove the wasp nest. This has been completed by [date]. The kitchen smoke alarm which was removed while the kitchen was being painted has been replaced. This was completed by the manager by [date].'*

*'The gate going into the kitchen has been fixed.'*

*'The cupboard under the sink in the "baby room" has been repaired by a carpenter and is no longer accessible to the children in the room.'*

#### **Blind cords:**

*'The blind cord had been safely secured.'*

*'The blind cords of the window will be added to the daily room risk assessment.'*

*'In accordance with NSAI guidelines the Cord on Blinds in pre-school room have been cut to remove the loop. Ends of the cord have been taped up above 1.5 metres out of reach of children and I have asked care taker to install a safety hook to place cord on.'*

#### **Infection control:**

*'Staff have been re trained in best practice re. Washing of hands, and are following best practice when changing nappies.'*

*'An infection policy is now in place in the service and mouthing toys are now washed daily and as needed.'*

#### **Outdoors:**

*'The outdoor toys and equipment were power hosed and cleaned. They have been assessed by the Early Years Inspector and are now maintained in a clean condition.'*

### **Regulation 25**

#### **First aid: 7% noncompliant**

- **Main issues arising: first aid box (n = 10); person trained in first aid for children not available on the premises**

Nineteen services were assessed as noncompliant in this regulation. Two areas of concern were identified:

1. First aid box – insufficiently stocked or not suitably equipped (10)

In one service it was noted that:

*'The first aid boxes were not suitably equipped [and] an insufficient number of eye pads and bandages [was] provided. Many of the items contained within the first aid boxes were out of date.'*

2. Training in first aid for children (9)

In one service it was noted that:

*'A person trained in paediatric first aid was not available in the service. The registered provider stated that one adult was on a waiting list to undertake up-to-date first aid training in November 2016.'*

### **Improvements made to Regulation 25 in response to inspection findings**

Improvements made reflect the issues arising and related mainly to the accessing training in paediatric first aid for staff:

*'The second paediatric first-aider [named] had attended the training on [date] and is waiting for the certificate to be posted. (Please see the booking confirmation sheet attached).'*

#### **Other comments related to the first aid boxes:**

*'First aid boxes were updated and restocked and assigned a designated staff member to complete a monthly check.'*

### **Regulation 26**

#### **Fire safety measures: 21% noncompliant**

- **Main issues arising: records of fire safety maintenance (n =51); fire drills not undertaken or recorded (n = 6); fire exit notices not clearly displayed (n = 11)**

Sixty-one services (21%) were identified as noncompliant in respect of Regulation 26. Issues identified are follows:

#### **Records:**

*'The service had no record for the maintenance of the smoke alarms.'*

#### **Notice of procedures:**

1. *'Notices of the procedures to be followed in the event of a fire were not clearly displayed in the premises. The notice in the front hall was partially blocked when the door was open.*
2. *'The notice in the downstairs toilet (off front hall) was partially blocked by art work.*
3. *'There was no notice of the procedures to be followed in the event of a fire on display in the Toddler Room.'*

**Fire drills:**

*'There was no evidence that fire drills were carried out within the service on a monthly basis.'*

**Improvements made to Regulation 26 in response to inspection findings**

Improvements included more accurate and comprehensive records; checks on smoke alarms; and more conspicuously positioned procedures in the case of a fire:

- *'The Registered Provider stated that a record of the number and type of fire-fighting equipment in the service is now available.'*
- *'The smoke alarm maintenance company [named] was contacted ... and the appointment to service the smoke alarm was booked at their earliest convenience.'*
- *'The Registered Provider has stated that the notices of the procedures to be followed in the event of fire have been moved to a more conspicuous place.'*

**Regulations 11, 28, 29, 30**

Information is now provided in respect of Regulations 11, 28, 29, 30, where only a few services were assessed as noncompliant.

**Table AT6: Examples of concerns raised in respect of Regulation 11, 28, 29, 30**

Regulation	Number noncompliant	Issues arising
11 Staffing	12 (4%)	<p><b>Insufficient adult: child ratio:</b>            Examples of services found to be noncompliant in this area included:  <i>'The minimum ratio of adults to children was not adhered to in the (name of room) from 9:00 am until 2:00 pm, as 10 children attending for full day care aged 3-5 years were cared for by one adult. The correct adult / child ratio of 1:8 was not maintained in this room.'</i></p> <p><i>'An [in]adequate number of adults [was] working directly with the children attending the pre-school service at all times. Between 11:50 am and 12:00 pm, two pre-school children aged 6 months and 24 months were left unattended in the baby / wobbler room, when the staff member left to change the nappy of a child aged 17 months. The children left in the baby / wobbler room were either place in a highchair or strapped into a buggy. The minimum ratio of adults to children was not maintained during this period.'</i></p>
28 Insurance	3 (1%)	<p><b>Absence or inadequate insurance:</b>  <i>'There was no evidence of current insurance cover for 10 out of 32 pre-school children present at the time of inspection.'</i></p> <p><i>'Evidence of insurance cover for the second session was not available. Following inspection, the Registered Provider immediately contacted the insurers and the amended certificate of insurance was received by the Early Years Inspector.'</i></p>
29 Premises	6 (100%)	<p><b>Main issues: temperature of the rooms was too high (n = 1) or too low (n = 5):</b>  <i>'The service was observed to be very cold and'</i></p>

		<p><i>environmental temperatures were recorded throughout the premises. The temperature in the first pre-school room at 10:05 am was 15.6°C, 16.7°C in the second pre-school room and 16.6°C in the toilet area’.</i></p> <p><i>‘It was observed that a green growth was coating the walls to the side of the smaller play area, where the down pipe was attached to the wall.’</i></p>
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## Conclusion

In conclusion, this analysis has highlighted a number of areas for ongoing review and inspection. The Early Years Inspectorate is committed to identifying key issues of concern to the governance, health welfare and development of the child, safety and premises and facilities in early years services through the collation of insights from inspections to support improvements in the sector.