



**An Ghníomhaireacht um
Leanaí agus an Teaghlach**
Child and Family Agency

Inspection Findings Review

January 29th 2024 Briefing

3 different Processes Following Inspection

Separation of the 3 processes

Responding to the Draft Inspection Report			
Response	Inspection Findings Review (IFR)	Factual Accuracy (FA)	Corrective and Preventive Action (CAPA)
What it means	Inspection Findings Review refers to process applied if the registered provider disagrees with inspection findings as per the draft inspection report.	Factual accuracy refers to an error in the draft inspection report, for example: number of staff members, telephone number, date of inspection.	The corrective and preventive actions are the defined actions necessary for the registered provider to take in order to meet the regulatory requirements.
Relevant form	Inspection Findings Review submissions will only be accepted on an Inspection Findings Review Form .	Factual Accuracy submissions will only be accepted on a Factual Accuracy Form .	CAPA submissions will only be accepted on a CAPA Form .



Current Process (Disputed Findings)

Draft Inspection Report
issued to Registered
Provider (RP)

RP can submit a
disputed findings form
to contest inspection
findings which they
disagree with.

The Early Years
Inspector who carried
out the inspection
makes a determination
and issues the
outcome to the RP.

The IRM who manages
the operational area
makes a final
determination

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Step 1

DRAFT REPORT ISSUES

- The RP is sent a Draft Inspection Report following an inspection of their early years' service.

Step 2

SUBMISSION

- If the RP disagrees with any of the inspection findings, they have **10 working days** to request an Inspection Findings Review 1.

Step 3

SCREENING

- ☐ An IFR 1 request will only be accepted if it is received within the timeframe, on the IFR form and with evidence provided to support the submission, where possible.

Step 4

REVIEW 1:

- ☐ The specified inspection findings undergo a review by the IRM within **5 working days** of receiving the submission.
- ☐ The RP will be emailed the decision of the review and the rationale for it, with the Draft IR, amended where required.

Step 5

APPLICATION & SCREENING FOR REVIEW 2

- If the RP disagrees with the outcome of Review 1, they have **5 working days** to request an Inspection Findings Review 2.
- ☐ An IFR 2 request will only be accepted if it is received within the timeframe, on the IFR form and with evidence provided to support the submission, where possible.

Step 6

REVIEW 2:

- ☐ The specified inspection findings will undergo a review by the Inspection Findings Review Panel, within **10 working days** of receiving the submission.
- ☐ The RP will be emailed the decision of the review and the rationale for it.



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Inspection Findings Review (IFR) Applications

To be completed by person submitting an Inspection Findings Review Form			
TU number:		Person submitting request:	
Name of service:		Date of inspection(s):	
Name of registered provider (RP):		If person submitting the IFR is not the RP, they have been fully authorised to do so.	Yes <input type="checkbox"/> No <input type="checkbox"/>
<p>Please Tick: This form is a request for an Inspection Findings Review 1 <input type="checkbox"/> Review 2 <input type="checkbox"/>.</p> <p>Please note:</p> <ul style="list-style-type: none"> Only inspection findings which underwent Review 1, may be submitted for Review 2. No new inspection finding will be accepted for Review 2. The outcome of Review 1 must be issued before a request for an Inspection Findings Review 2 will be accepted. 			

Inspection Findings Review 1 Form		
Registered Provider/Designate	Regulation (State regulation number and non-compliance number)	
	Inspection Finding (Insert exact wording of the draft inspection report finding)	
	Registered provider's rationale for disputing the inspection findings	
	Registered provider's evidence to support the request for Inspection Findings Review	

Screening of Applications

- ☐ **The correct Form must be used**
- ☐ **All sections of the form must be completed in full.**
- ☐ **Must be within the correct timeframe**
Review 1: 10 working days from date of issue of Draft Inspection Report
Review 2: 5 working days from date of issue of Review 1 Outcome
- ☐ **Evidence Submitted to support your submission, where available**
- ☐ **If the request is not on the correct form or not within the timeframe, the request will not be processed.**

Inspection Findings Review

Review 1

Inspection & Registration Manager
(Who manages the operational area from
which the submission arose)

Review 2

National Inspection Manager
Panel Chair

IRM

IRM

IRM

IRM

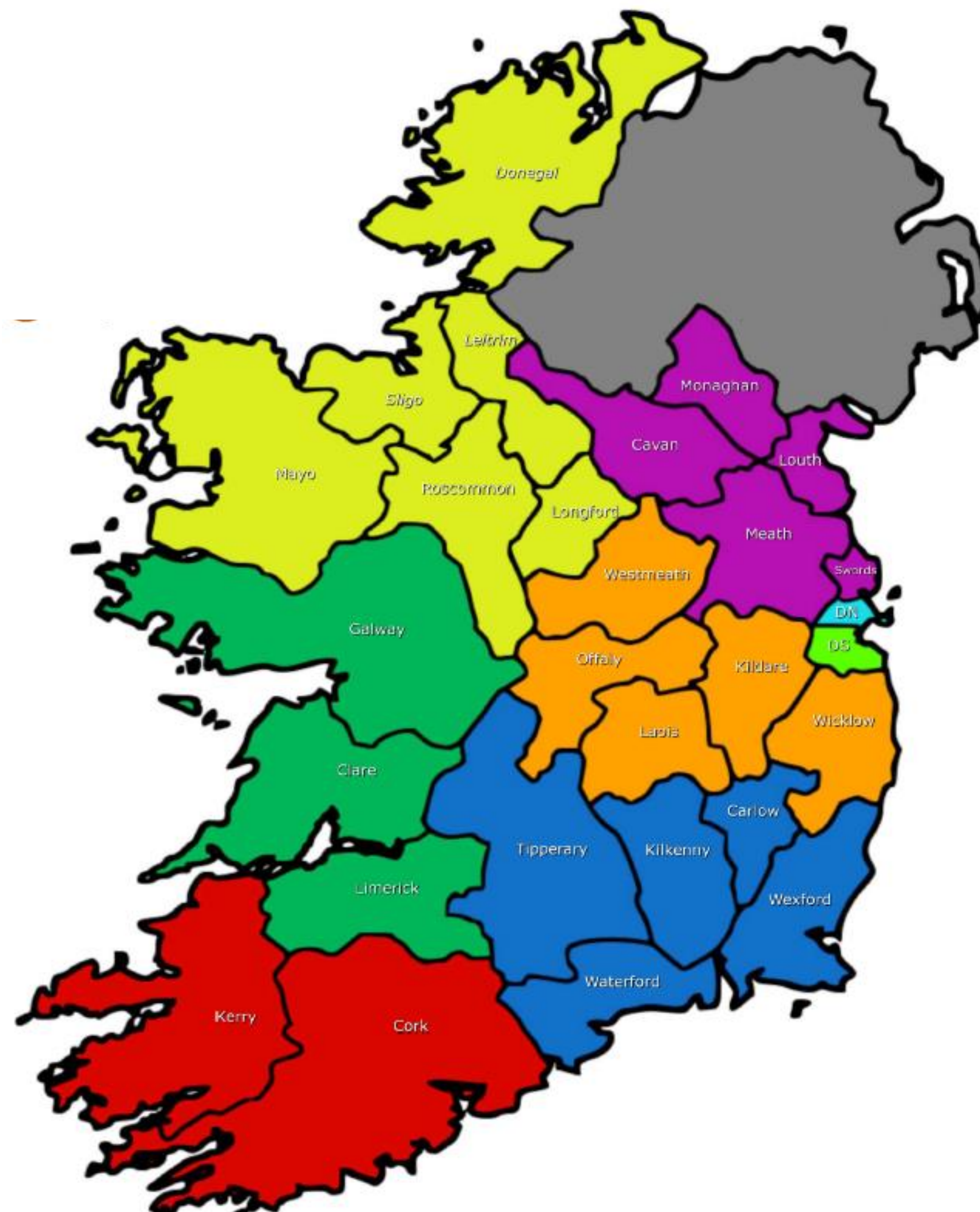
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Structure of Operational Inspection Teams

8 Operational Areas:

- North West
- Mid-West
- South West
- South East
- Mid-Leinster
- Dublin South
- Dublin North
- Dublin North & East



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Inspection Findings Review 1 Outcome

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Inspection Findings Review 1 Form		
Registered Provider/Designate	Regulation (State regulation number and non-compliance number)	
	Inspection Finding (Insert exact wording of the draft inspection report finding)	
	Registered provider's rationale for disputing the inspection findings	
	Registered provider's evidence to support the request for Inspection Findings Review	
Inspection Findings Review 1 Outcome		
IRM Conducting Review	Inspection Findings Review 1 Outcome (Accepted, Partially Accepted or Not Accepted)	
	Rationale for Outcome	
	Amendment to report wording, if required	

Managing CAPA while Inspection Findings Review (IFR) application is being Processed

- ❑ The Correction and Preventive Action (CAPA) process remains ongoing at the same time as the Inspection Findings Review process.
- ❑ Corrective and preventive actions will be requested for all non-compliances identified in the draft inspection report which are not subject to an Inspection Findings Review process.
- ❑ Non-compliances which remain as non-compliances following the outcome of the Inspection Findings Review process, will then be subject to the CAPA process.

Strength of the Inspection Findings Review Process

- If the registered provider is unhappy with the outcome of Review 1, they may request Review 2 which is a new layer of 'right of reply', **increasing the number of opportunities for reviewing** inspection findings.
- Review 2 is carried out by an inspection findings review panel which includes a national manager and regional managers who were not involved in making any determinations on inspection findings subject to the IFR application. Therefore, providing for a further **robust review of inspection findings**.
- Factual accuracy submissions are provided for on a separate form, streamlining the two processes.

Tusla Website

Inspection Findings Review Documents

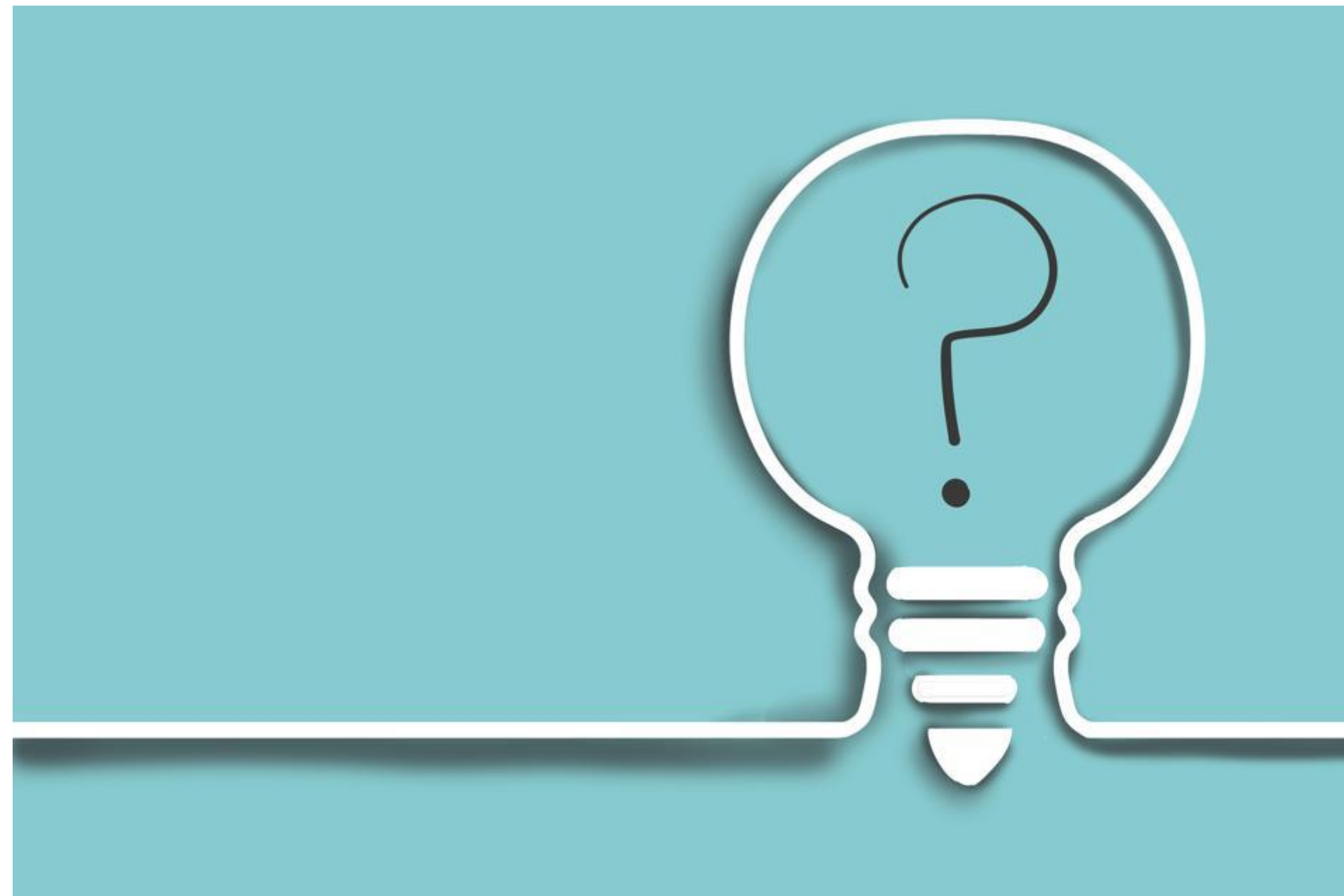
- Request for IFR Form
- IFR Guidance Doc for RPs
- 1 Page Information Page
- Request for Factual Accuracy Review Form



Key Information

- The new Inspection findings review process will be applied to all inspections carried out after **Monday February 12th 2024.**
- A **webinar** will be held for all providers on 29th January 16:00-18:00
- IFR documents will be accessed via the Tusla website.
- The RP has **10 working days** to submit a request for **Review 1** after the draft inspection report has been issued.
- The RP has **5 working days** to submit a request for **Review 2** after the outcome of Review 1 has been issued.
- All requests for Review 1 and 2 must be submitted on the **correct form.**
- Requests for inspection findings reviews must be sent to eyi.ifr@tusla.ie.
- Non-compliant inspection findings, which are not subject to IFR, follow the standard CAPA process and timeframes.

Questions



The MPOP set out to:

1. Define a multiple provider.
2. Appoint a lead region to each multiple with four or more settings to manage the relationship with the provider and case manage inspections.
3. Develop two initial approaches:
Category 1 – providers within neighbouring regions.
Category 2 – providers where the geographic locations of the services are widespread.
4. Establish a MPOP steering group within the inspectorate.
5. Develop a co-ordinated approach for inspection, Inspection Findings Review, CAPAs and compliance building initiatives.
6. Engagement with Multiple Providers.

Definition

A multiple provider is a group of two or more registered early years services which are under shared ownership or governance structures.

Multiple providers

A multiple provider with **2 or more** registered early years services on the National register.

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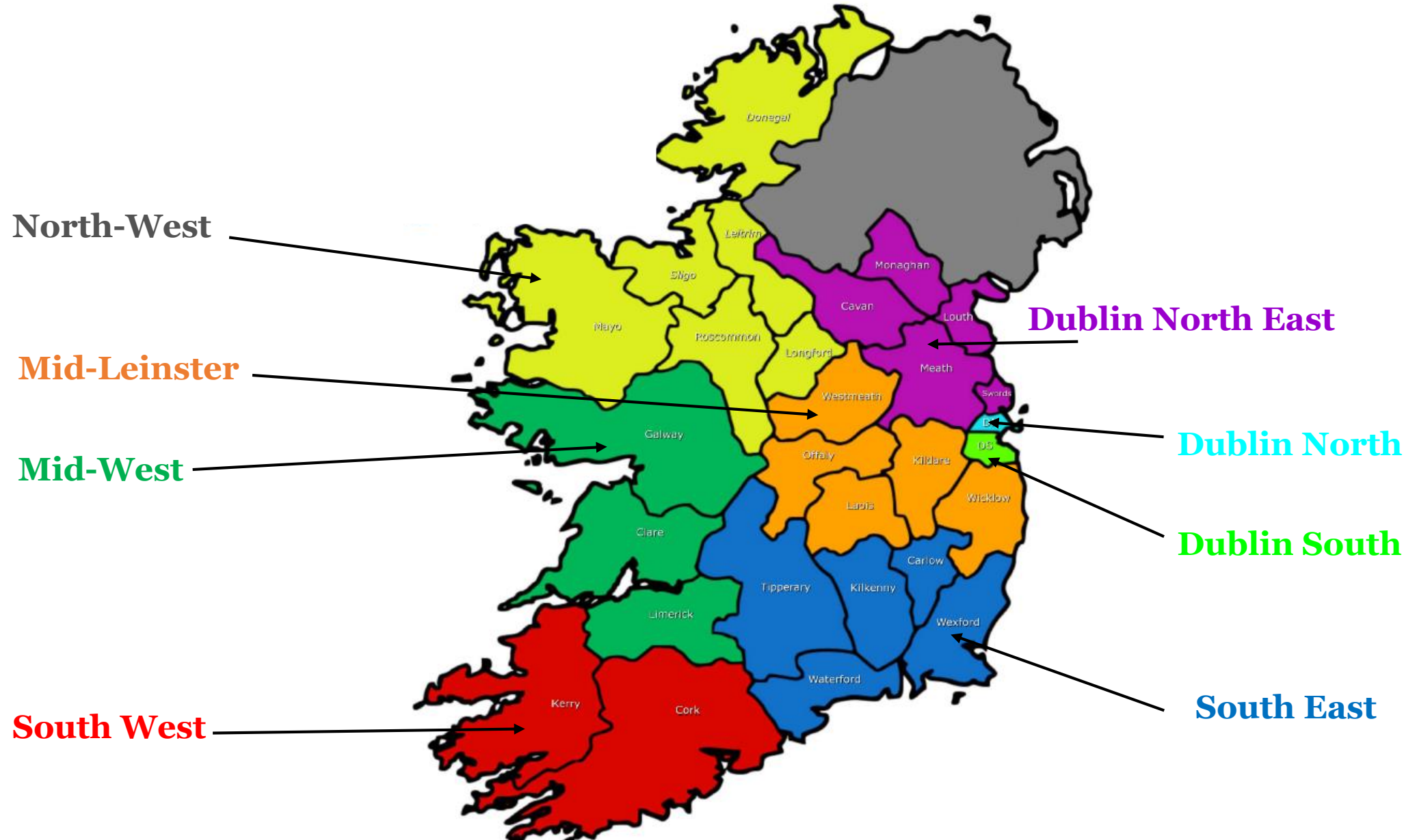
Registered Providers / services

A multiple provider with **4 or more** registered early years services on the National register.

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Registered Providers / services

8 Operational Inspection Teams

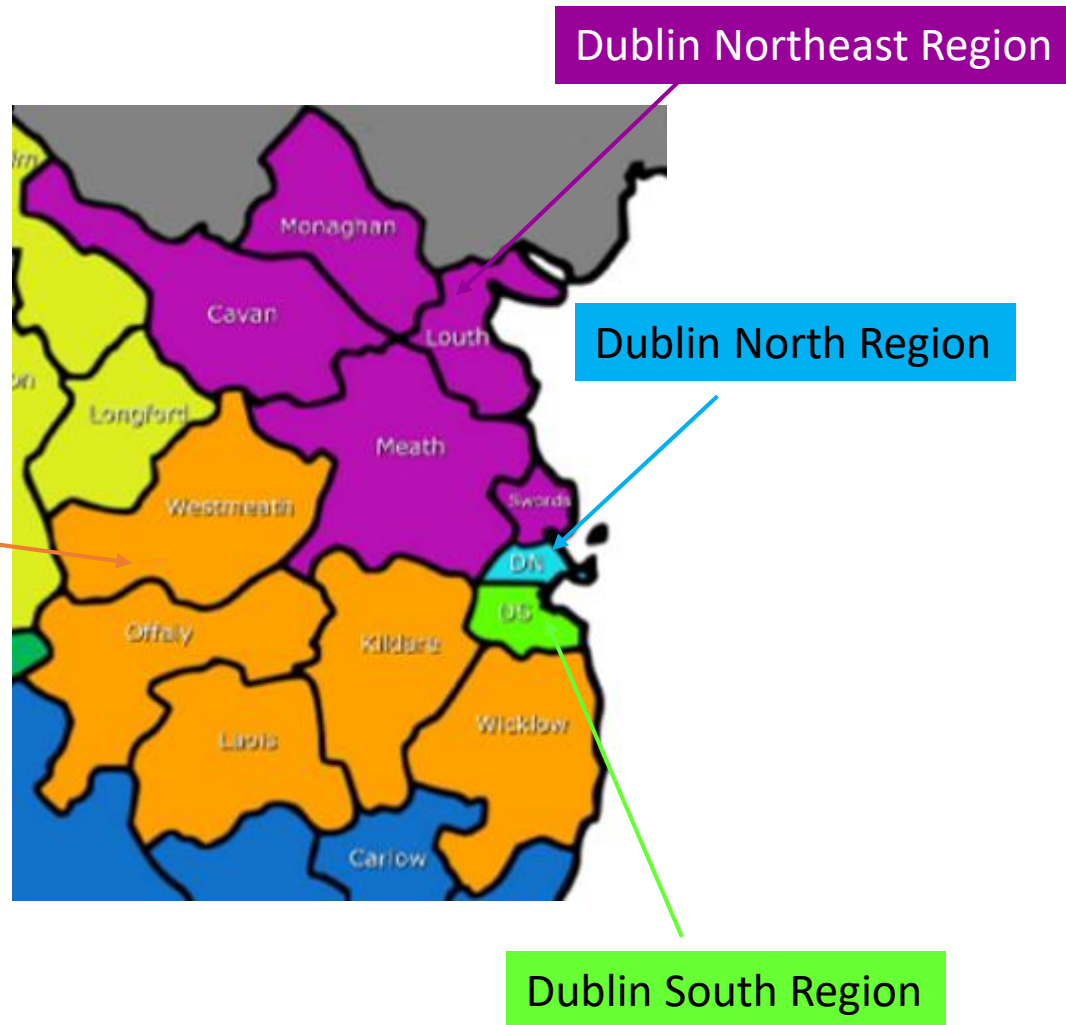


Multiple Providers Oversight Project

Category 1

An inspection and registration manager and a single regional team of early years inspectors carry out inspections in all services that are part of the multiple provider.

Category 1- Example



- ❑ **Services spread across 4 regions** Dublin North, Dublin South, Dublin Northeast & Mid Leinster
- ❑ **Multiple assigned to regional team**
- ❑ **1 Inspection & Registration Manager and team of EYIs responsible for assigned Multiple services**

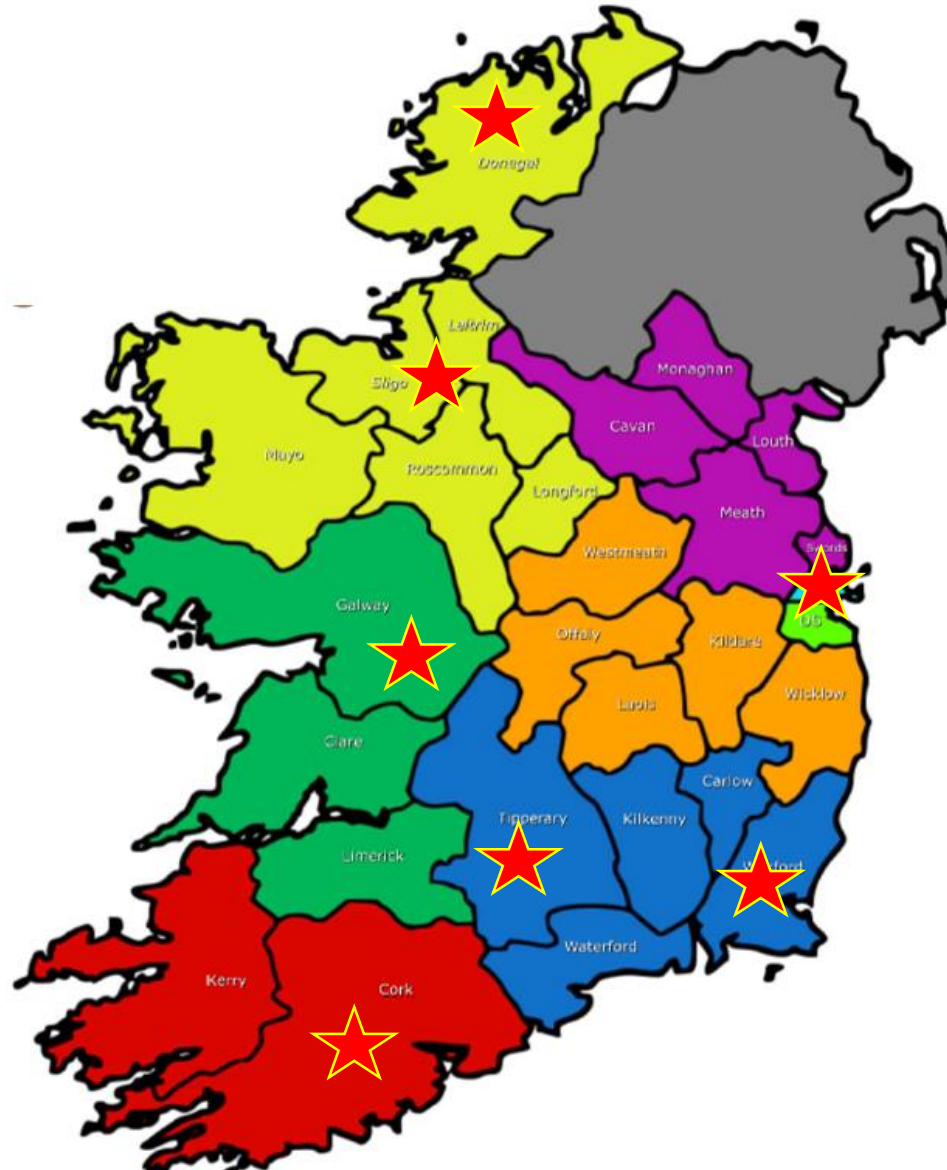
Multiple Providers Oversight Project

Category 2

An inspection and registration manager manages the inspections of a multiple provider.

Early years inspectors from different regional areas carry out the inspection and report to the designated inspection and registration manager.

Category 2- Example



- ☐ 1 Registered Providers
Services spread across 7 counties, Dublin, Donegal, Sligo, Galway, Tipperary, Wexford and Cork
- ☐ 1 IRM assigned to Multiple
- ☐ EYIs remain same – located in counties/ areas where services located. In this example it is across 5 operational regions

Aims of Multiple Provider Oversight Project

- **Aligned to OECD best Practice Principles for Regulatory Policy**
“Inspection functions should be co-ordinated, and where needed, consolidated: less duplication and overlaps will ensure better use of public resources, minimise burden on regulated subjects and maximise effectiveness.”
- **Multiple Provider only have to deal with one inspection team and Inspection and Registration Manager instead of up to 4-5.**
- **Improved co-ordination and improved communication. Support multiple providers to build and sustain compliance across all services.**



Thank you

Any questions?