



TúsLA

An Ghníomhaireacht um
Leanaí agus an Teaghlach
Child and Family Agency

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Change in Circumstance and New Applications Update 12.08.2022

Belinda O'Keefe
Registration Manager
Regulation and Compliance



Legislative requirements

Change in Circumstances (CIC):

Reg 8(1) of the Preschool and School Age Regulations states that a Registered Provider shall notify the Agency in writing of any proposed change in the details contained on the Register **at least 60 days** before it is proposed that the change would take effect. This is a mandatory requirement.

60 day timeline commences on receipt of a complete application, with all required documentation submitted (depending on what change is being applied for).

New Applications:

Reg 6(3) of the Preschool and School Age Regulations states that a person proposing to provide a pre-school or school aged service shall make an application **at least 3 months** before the person proposes to commence the service.

90 day timeline commences on receipt of a complete application, with all required documentation submitted.

Objectives of our processes

To fulfil our statutory duty to ensure that the Register of Services is accurate and up to date.

To ensure a **fair and transparent** process for every applicant;

- Complete applications are dealt with in order of date of receipt,
- Applicants who submit incomplete applications are given an additional 10 days to submit any outstanding documents,
- Requirements are the same for everyone,
- We follow our standard operating procedures to ensure all applicants are treated fairly.

Currently prioritisation is only being afforded to applications pertaining to services being set up to accommodate Ukrainian Children.

CIC and New Applications - Process

Stage 1 – Submission of application

Change in circumstance:

Provider emails application and required documentation to the dedicated Tusla email address and receives an automatic response to acknowledge receipt. We have 2 categories of changes:

- **Category 1** changes require a desk-based assessment and are usually minor administrative changes such as change of email address/phone number. They do not require a Fit for Purpose review.
- **Category 2** changes usually require a Fit for Purpose inspection and are more substantive changes such as change in service type, increase in numbers of children etc. They require supporting documents to be submitted with the application such as planning permission, fire safety certificates, building compliance etc. depending on the change being proposed.

New applications:

Provider uploads application (for pre-school or school age service) via Portal and receives an automatic response. The application should include all required documentation before it is submitted. There is comprehensive guidance on the requirements in the Early Years Quality Regulatory Framework on our website.

CIC and New Applications - Process

Stage 2 – Initial Assessment

Change in Circumstances:

CIC Team carry out the initial assessment of the application. If it is complete it moves to the next stage, if it is not complete, an email is sent to the Provider, outlining what is outstanding and they are given an additional 10 days to submit the outstanding documentation. If all the documentation is not submitted within 10 days – the CIC application is closed. If documents are received within the time frame – the application is progressed.

New Applications:

For pre-school and school age services, where a complete application is received and has met all the requirements, the application moves to the next stage. If it is not complete, an email is sent to the Provider, outlining what is outstanding and they are given an additional 10 days to submit the outstanding documentation. If all the documentation is not submitted within 10 days – the application is closed. If documents are received within the time frame – the application is progressed. .

School age services do not require a fit for purpose inspection, so where an application has met all the requirements on assessment, a Tusla number is requested from the Data Team, and a letter confirming registration is sent to the Provider and the details of the new service is published on the Register the following month.

CIC and New Applications - Process

Stage 3 – Referral for Fit for Purpose inspection

Change in Circumstances:

Category 1 changes do not require a fit for purpose inspection so once approved, the Provider is advised and approved changes are published on the Register the following month.

Category 2 change applications which are complete and require a Fit for Purpose inspection, are passed to the appropriate inspector to arrange a FFP inspection and the application is progressed.

New Applications:

For pre-school services, where a complete application is received and has met all the requirements, the application is passed to the appropriate inspector to arrange a FFP inspection and the application is progressed.

CIC and New Applications - Process

Stage 4 – Fit for Purpose outcomes

Change in Circumstance and New Applications:

Once the FFP is completed, there can be 3 outcomes;

- the requirements have been met on inspection,
- the requirements have not been on inspection, and the Provider is asked for further information/evidence, or,
- the outcome of the inspection has deemed that the change or new application cannot be approved.

Once the report is complete, it is passed from the inspector to the CIC/New Applications Team for final decision.

CIC and New Applications - Process

Stage 5 – Final Outcome

Change in Circumstances:

The CIC Team send the final communication to the Provider on the outcome of their application, along with final inspection report (if applicable) and approved changes are published on the Register the following month.

New Applications:

Where an application is successful, the New Applications Team request a Tusla number from the Data Team and send the final communication to the Provider confirming registration, along with the final inspection report (if applicable) and the details of the new service is published on the Register the following month.

If the application does not meet the requirements, the application is not approved and the decision is communicated to the Provider outlining the reasons why.

Common issues that can impact applications

- Some Provider's expectations are unrealistic,
- Poor quality submissions leading to increased requests to the Provider for clarification,
- Providers submitting incomplete applications assuming it will hold their place in the 'queue', incomplete applications are closed after 10 days. If a Provider submits the application again with all required documentation, it is considered a new application and is processed in order of date of receipt to ensure fairness for everyone,
- It is important to take into account timeframes of other agencies which may impact applications for example, local authorities, fire officers and Garda Vetting Bureau.

Change in Circumstance

Data and Statistics

CIC Pre-school Data and Statistics

Month	No of applications assessed*	No of changes requested per application
Jan	90	151
Feb	143	243
Mar	186	312
April	113	213
May	159	302
June	199	377
July	195	405
Aug (to 10.08.22)	128	224
Total to 10.08.2022	1213	2227

***One application from a service can include multiple changes, which have to be assessed individually, so looking at the number of changes is an important indicator to quantify the level of processing being carried out.**

When 2022 data is compared to the same time period in 2021, we are experiencing;

- * 31% increase in applications received,
- * 39% increase in the number of changes requested.

CIC School Age Data and Statistics

Month	No of applications assessed*	No of changes requested per application
Jan	29	44
Feb	62	93
Mar	46	70
April	27	49
May	59	83
June	40	58
July	37	59
Aug (to 10.08.22)	7	7
Total to 10.08.2022	307	463

***One application from a service can include multiple changes, which have to be assessed individually, so looking at the number of changes is an important indicator to quantify the level of processing being carried out.**

When 2022 data is compared to the same time period in 2021, we are experiencing;

- * 261% increase in applications received,
- * 250% increase in the number of changes requested.

CIC Data and Statistics

	Pre-school	School age
Incomplete applications (YTD)	15%	18.6%
Applications Approved (YTD)	807 applications (1227 individual changes)	263 applications (392 individual changes)
Waiting initial assessment	Category 1: 69 Category 2: 88	128
Current waiting time for initial assessment	Category 1: 3 weeks Category 2: 2 weeks	3.5 weeks

Figures and data correct as of 10.08.2022

All applications we have received this year has been closed well within 60 days. We anticipate all complete applications received by 1st August, and services who have met the requirements on their FFP, will have their changes registered for 1st September.

We continue to work through all applications received after this date as quickly as possible.

New Applications

Data and Statistics

New Applications Data and Statistics

New Applications Assessed	Pre-school	School age
January	6	21
February	7	17
March	5	10
April	6	9
May	6	27
June	9	52
July	31	36
August (to 10.08.22)	16	10
	86	182

New Applications Data and Statistics

	Pre-school	School age
Incomplete applications (YTD)	50%	29%
Registered in 2022 (YTD)	21	104
Waiting initial assessment	13	53
Current waiting time for initial assessment	2.5 weeks	4.5 weeks

Figures and data correct as of 10.08.2022

Complete applications submitted prior to 1st August, who are ready for their FFP (pre-school only), and which meet the requirements on inspection will be registered for 1st September.

We cannot guarantee applications received after this date will be processed on time for 1st September opening, but we continue to process applications as quickly as possible.

Fit for Purpose Inspections

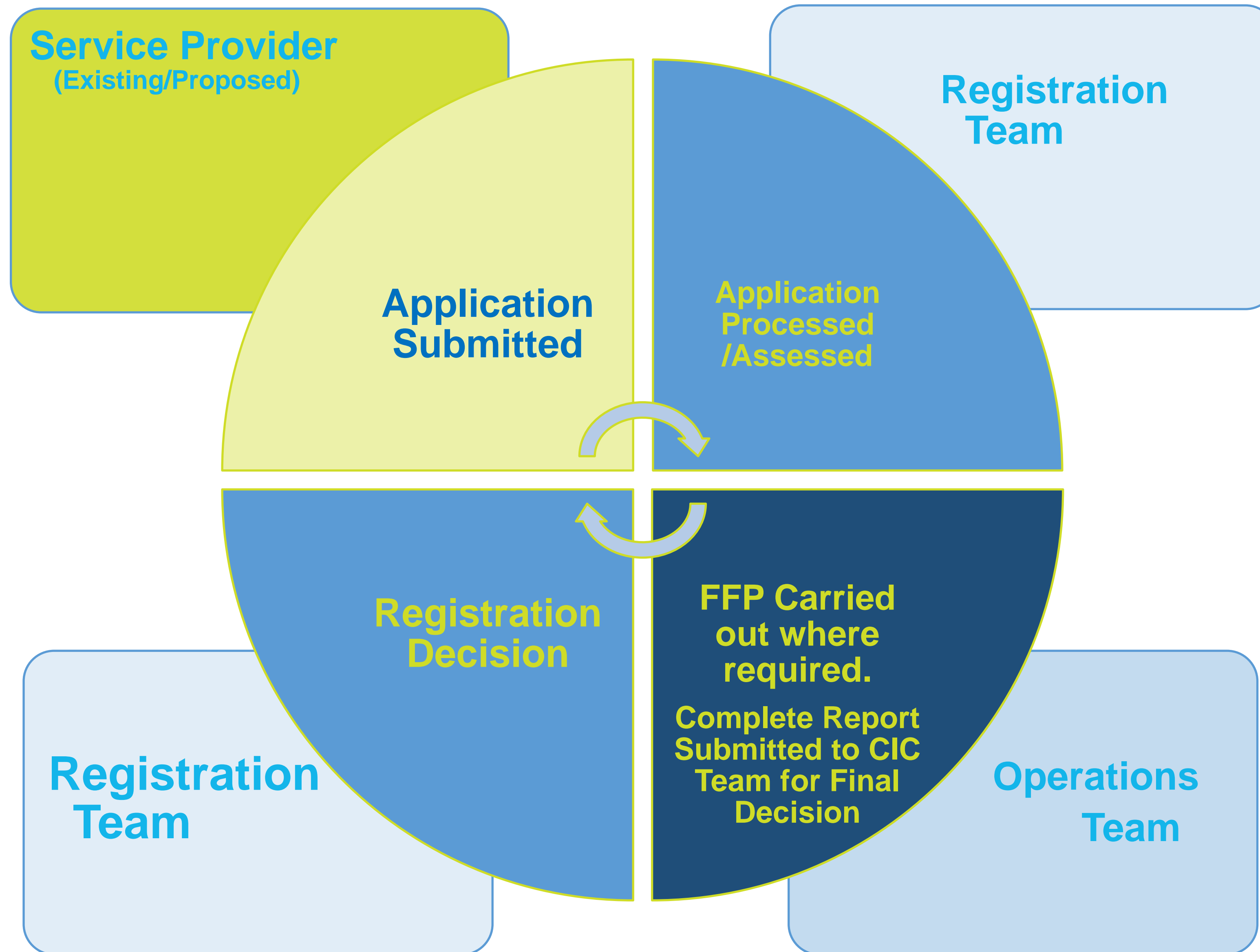
Breda Cloney

Head Of Inspection & Assessment (Interim)



FFP completed January to July 2022

Types of FFP	2021	2022 (31.07.2022)
New Applications	70	27
Change in Circumstances	133	126
Total	203	153



Fit for Purpose Inspections

General issues

- ◉ Providers not ready for FFP once paper application complete.
- ◉ Applicants/CCCs contacting the Early Years Inspector requesting an onsite fit for purpose, while the paper application has not yet been approved.

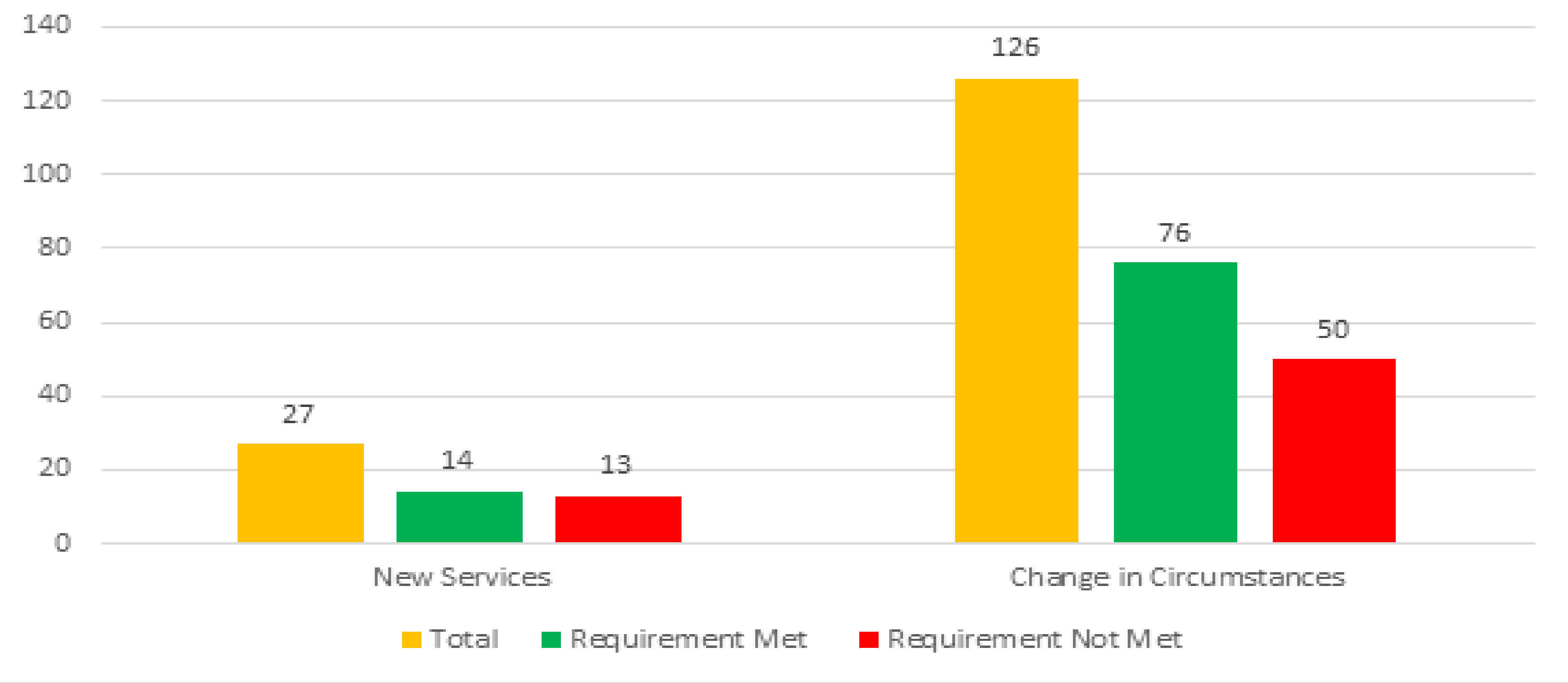
FFP Time Delayers

- When EYI contact applicant to schedule FFP – Applicant advising EYI Premises not ready for Inspection as structural works not complete
- Applicant delaying inspection for other reasons – making scheduling difficult.
- Requirements not met when inspected (48% New services & 40% CIC to date in 2022)
- Slow to address 'Requirements not met' following Inspection.

Fit for Purpose Inspections-Regulations

Regulation	Title	CIC	New
9	Management and Recruitment	X	X
11	Staffing Levels	X	
20	Facilities for Rest and Play	X	X
22	Food and drink	X	X
23	Safeguarding health, safety and welfare of child	X	X
25	First Aid	X	X
26	Fire Safety Measures	X	X
28	Insurance	X	X
29	Premises	X	X
30	Minimum Space Requirements	X	X

FFP Breakdown by Requirement Met/Not Met



To end July 2022 a total of 63 services had ‘Requirement not Met’ on Inspection for the following issues

Non-Compliant at Inspection Regulation Table		
Regulation	Name	Count
23	Safeguarding health, safety and welfare of child	41
29	Premises	40
20	Facilities for rest and play	24
25	First aid	14
26	Fire safety measures	14
28	Insurance	9
11	Staffing levels	7
22	Food and drink	6
30	Minimum space requirements	3
9	Management and recruitment	2
8	Notification of change in circumstances	1
Total		161

Website information & Certificates of Registration

Grant Landon

Regulatory Practice Development Manager

New Registrations Information

<https://www.tusla.ie/services/preschool-services/new-providers/>

New Registrations

If you would like to open an early years service you need to complete the registration process before any children can attend. It is a legal requirement for all services proposing to operate to submit an application under section 58D(2) of The Child and Family Agency Act 2013, at least 3 months before it is intended to commence operation. Temporary early years services need to submit an application in which least 21 days before it plans to open.

Please ensure to have all required documentation ready to upload before you submit your new application. From 1st January 2022, incomplete applications will be automatically closed after 10 days.

The documents here provide detailed advice and guidance on the process for submitting an application to open an early years services.



Registration Policy: New Applications Tusla Early Years Inspectorate



New applications for registration – Supporting Documentation

This document provides a list of required documentation that must be submitted with new applications for registration



New applications for registration – Timeframes

This document details the timeframes for new applications and related documents.



A Guide to Building Safety - Fire and Planning Requirements

A guidance document designed to assist existing providers and new applicants to address fire and planning safety requirements



New Registrations Information

EYI-GDE01.3
V1
26/01/2022

Supporting documentation required with a new application - to be submitted on the [Tusla portal](#)

1. Garda Vetting disclosure (for the proposed registered provider and person in charge if different and where the person is a body corporate, each director of the body). Where board members do not have access to children, please provide written confirmation of same.
2. Police Vetting (for the proposed registered provider and person in charge if different). This is required where the person has lived in a jurisdiction outside of Ireland for a period of longer than 6 consecutive months, when they were aged over 18 years. He or she must provide police vetting from the police authorities of that state.
3. Two recent written and validated references (for the proposed registered provider and person in charge if different, and board members where applicable). Include most recent employer reference where applicable.
4. Evidence of identification (for the proposed registered provider)
5. A clear plan of the interior layout of the premises - the floor plan should show each room on the premises and the dimensions of each room intended for inclusion in the calculations of clear floor space.
6. The outdoor area plans: this should include any outdoor areas that children may use when attending the service. Hand-drawn plans for the outdoor space that include boundaries can be submitted. The outdoor plans must indicate where the area is in relation to the building.
7. Drawings: all drawings or plans submitted must be accurate. They should preferably be drafted by an experienced or appropriately qualified person. However, it is not mandatory to have professional drawings and the registration office will accept accurate floor plans that have the measurements in square metres and are to scale.
8. Copy of the certificate of insurance or written confirmation of insurance cover.
9. Policies, procedures, and statements for the service which includes the following
 - a. Statement of purpose and function
 - b. Complaints policy
 - c. Policy on administration of medication
 - d. Policy on infection control
 - e. Policy on managing behaviour
 - f. Policy on safe sleep
 - g. Safety Statement
10. Planning permission for the service (except childminders or exempted premises).
11. Fire Safety Certificate for the service (except childminders or exempted premises).
12. Building and Fire Compliance Certificate (except childminders or exempted premises).
13. Evidence of registration with the Company Registrations Office (CRO) (where applicable).
14. Sole traders are required to submit confirmation of registration of their business with the CRO.
15. Signed declaration which can be downloaded from the [Tusla portal](#). (click [here](#)).

A guide to developing policies, procedures and statements in addition to sample policies and procedures for all service types including childminders can be found in the [Quality and Regulatory Framework](#). City and County Childcare Committees are available to support service providers with the development and updating of policies. Local CCC contact details can be found on www.mycoc.ie.

Early Years Inspectorate

A guide to changes regarding new applications timeframes

December 2021

This change is applicable for all new applications for early years or school age care services.

What change is coming into effect?

As you are aware, potential early years and school age care service providers must make an application under section 58D (2) of the Child and Family Agency Act 2013 at least 3 months before intending to commence operation of an early years or school aged care service (21 days where the proposed service is a temporary pre-school).

Currently, applications which are not completed after 90 days after their first submission are closed under our Registration Policy. Applications are closed where they do not meet the requirements of the legislation. From 1st January 2022, the agency will no longer accept incomplete applications for new services.

What is a complete application?

A complete application is an application made on the Tusla Portal and is accompanied by all of the required supporting documents as set out in the Portal.

In the event that an application is incomplete the applicant will be advised of each item that is outstanding and will be afforded 10 days to complete the submission. If the documents are not received within the 10 days or remain incomplete or insufficient the application will be automatically closed.

Why is this change being implemented?

There is no advantage to applicants to make incomplete submissions. To do so will not place the application in a queue or increase the likelihood of attaining registration pending the receipt of, or securing outstanding documentation. Only completed applications are prioritised for the next stage of the registration process. It is important to clarify the expectations of applicants so that providers are not left in any doubt concerning the processing times that can be expected once an application is made. We recognise the challenges involved in the creation of a new service and the importance of informed decisions being made in respect of the opening of their service and management of advertising and communications with parents and their staff effectively.

What does this mean for providers?

Providers should only submit applications for a new service when they have all the required documentation ready for upload to Portal for assessment. If you submit an incomplete application and are not able to provide supporting documentation within 10 days, your new application will be closed, and you will need to start your application completion for preschools is fire and planning documentation and applicants are advised to secure these documents in advance of making an application for registration. In the case of school age care applications, insufficient policy documentation usually leads to applications being closed. Please see guidance below for you assistance.

[SAC Registration Correspondence 180121date amended.pdf \(tusla.ie\)](#)

Early Years Services Registration

A Guide to Building Safety - Fire and Planning Requirements

Reference	EYI-GDE01.5
	3.0
	26/07/2022

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Change in Circumstance Application Information

<https://www.tusla.ie/services/preschool-services/early-years-providers/change-in-circumstance/>

Changes in Circumstances & Cessations

Registered providers are required to notify the Early Years Inspectorate in writing whenever they propose to make a change to their current registration in accordance with Regulation 8 of the Child Care Act 1991 (Early Years Services) Regulations 2016 (S.I. 221 of 2016) & Regulation 7 Child Care Act 1991 (Early Years Services) (Registration of School Age Services) Regulations 2018.

These proposals for change are assessed by the inspectorate to ensure that the proposed changes are lawful and will not pose a risk to children.

Timeframes for change in circumstance applications are set out in Regulation 8 of the Child Care Act 1991 (Early Years Services) Regulations 2016 (S.I. 221 of 2016) and Regulation 7 of the Child Care Act 1991 (Early Years Services) (Registration of School Age Services) Regulations 2018

- At least 60 days advance notification for changes to Full day care, Part time, Sessional, Childminding, Drop-In, and Overnight services.
- At least 60 days in advance for a school age service.
- 7 calendar days notification for changes to a Temporary service.

Notification for proposed change in circumstances and supplementary information forms must be emailed to cic.eyi@tusla.ie



Notification for proposed change in circumstances



Foirm chun Athrú sna himthosca Beartaithe a Chur in Iúl



Guidance document notification for proposed change of circumstances



Cáipéis Threorach - Foirm le haghaidh Fhógra i leith Athrú Molta ar Chúinsí



Guidance Document -Schedule 4
Form for Notification of Proposed Change In Circumstances

Name of Service you are Registered as	Enter the name of the Service that you have Registered with Tusla.
Tusla Reference Number	You will find this number beginning with TU on your SDF Re-Registration form and your Certificate of Registration.
Address of Service	
Phone Number of Registered Provider	
Email Address of Registered Provider	

Please tick (✓) column(s) of the proposed change in circumstances you wish to notify.
Please specify using the below lists:

Legal Requirements		Additional Changes you wish to provide
Summary of reason for notification	9	Summary of reason for notification
1 Change of Service Name	10	Change in Email Address
2 Change of Service Address	11	Adding an Additional Service Type
3 Change of Registered Provider	12a	Change in Hours of Operation
4 Change in Legal Name of Company	12b	Addition of a Session (Sessional Services only)
5 Change of Person in Charge		Hours of Operation for Additional Session
6 Change in Number of children that can be accommodated	13	Change in Phone Number of Service
7 Change in Age Profile of children for which the service is registered to provide services	14	Change in Mobile Number of Service
	15	Change in Mobile Number of Registered Provider
8 Change in Service Type	16	Change in Number of Staff Employed

Note: If the proposed change in circumstance is between category 1 and category 10 inclusive you are obliged to submit the Supplementary Information Form below, for your application for change to be processed.

1-8 : The Summary of reason for notification column on the left

- Points 1-8 consist of the changes that are a legal requirement under the Remit of the 2016 Regulations.
- The Registered Provider has a legal obligation to inform Tusla when a change is being proposed.

9-15: The Summary of reason for notification column on the right

- Points 8-16 consist of the Additional Changes that are provided to Tusla when a change is being made to ensure our records are accurate.
- Point 9: Select 'Change in service type' only if the service type is being replaced.
- Point 10: Select 'Adding an additional Service Type', this only applies if the current service type is still valid and you are adding another Service Type. Eg currently operating as a Sessional now and adding another service type such as Part Time.
- Point 12a: Select if you are a Sessional Service adding an additional Service, as in the case operating in the morning and now deciding to, in addition, operate an afternoon Session.
- Point 12b: If you have selected 12a you must select 12b and include the hours of the operation for the additional Sessional Service.
- Points 12-14: Specify which Phone Number you wish to change.

Cuid A
Sceideal 4

Foirm chun Fógra a thabhairt faoi Athrú Beartaithe i gCúinsí

Ainm Cláraithe na Seirbhíse faoi láthair	
Uimhir Thagartha Tusla	TU
Seoladh na Seirbhíse	
Uimhir Theileafóin an tSoláthraí Chláraithe	
Seoladh Ríomhphoist an tSoláthraí Chláraithe	

Cuir tic (✓) le do thoil sa cholún(úin) den athrú beartaithe i gcúinsí ar mhian leat fógra a thabhairt ina leith.
Sonraigh le do thoil trí na liostaí thíos a úsáid:

Riachtanais Dhleathacha		Athruithe Breise is mian leat a sholáthar	
Achoimre ar an gcúis le fógra a thabhairt	✓	Achoimre ar an gcúis le fógra a thabhairt	✓
1 Athrú ar Ainm Seirbhíse		9 Cineál Seirbhíse Breise Atá Á Chur Leis	
2 Athrú ar Sheoladh na Seirbhíse		10 Athrú ar Uaireanta Feidhmiúcháin	
3 Athrú an tSoláthraí Chláraithe		11a Seisiún Breise (Seirbhísí Seisiúnacha amháin)	
4 Athrú ar Ainm Dleathach an Chomhlachta		11b Uaireanta Feidhmiúcháin le haghaidh Seisiún Breise	
5 Athrú ar an Duine i gCeannas		12 Athrú ar Líon na Foirne Fostaithe	
6 Athrú ar Líon na leanaí ar féidir freastal orthu		13 Athrú ar Uimhir Theileafóin na Seirbhíse	
7 Athrú ar Phróifíl Aoise na leanaí a bhfuil an tseirbhís cláraithe chun seirbhísí a sholáthar dóibh		14 Athrú ar Uimhir Fóin Póca na Seirbhíse	
8 Athrú ar Chineál Seirbhíse		15 Athrú ar Uimhir Fóin Póca an tSoláthraí Chláraithe	
		16 Athrú ar an seoladh ríomhphoist	

Nóta: Má tá an t-athrú beartaithe i gcúinsí idir Catagóir 1 agus Catagóir 11 go huile tá dualgas ort an Foirm Eolais Forlíontach a chur isteach (CUID B) chun d'iarratas ar athrú a phróiseáil.

Ainm na Seirbhíse de réir an Chláir:	
Eolas reatha ar an gClár a bheartaíonn tú a athrú	Eolas nua a mholtar a iontráil ar an gClár

Certificates of Registration

From August 2022 we are commencing the process of issuing certificates of registration to all early years services in these circumstances

- **following registration or renewal of registration of the service**
- **following completion of a change in circumstance as prescribed in Regulation 8**
- **following attachment or removal of one or more conditions of registration under sections 58(D) (5) and (8) of the Act**
- **where the Agency has become aware that any particular entered in the register is incorrect in line with 58(D)(7)**

Registered Providers must;

- **ensure that a certificate of registration for a pre-school service is displayed in a prominent position within the service where it is clearly visible to parents and members of the public who enter the service' and**
- **ensure that the certificate displayed in the pre-school service is the most recent certificate issued to the service'.**

It will take up to six weeks from the time one of these processes has been completed and approved, to the time when the certificate is received. We will ensure that by the end of January 2023 all services have been issued with certificates of registration. Once services receive their certificate they will need to display it in accordance with regulation 7A.

As previously, applications for funding are **not dependent** on services submitting a copy of their certificate of registration. It continues to be sufficient to submit proof of registration in the form of a confirmatory letter or email from the Early Years Inspectorate.

We have established an email address for any issues relating specifically to certificates.
We will be writing to providers very soon to advise.



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Thank you.
Any Questions?

