

TÜSĻA
An Ghníomhaireacht um
Leanaí agus an Teaghlach

**EARLY
YEARS**
INSPECTORATE

Report of consultations on
the development of the

**Quality and
Regulatory
Framework
Summary**

Foreword

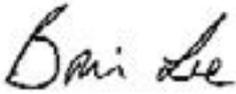
The first steps on a journey to develop a Quality and Regulatory Framework (QRF) for the Early Years sector began in 2015. A need for this type of framework emerged from the Early Years sector itself and, from the findings of research commissioned by Tusla in 2014. Both highlighted a need for greater clarity in the requirements for compliance with the Early Years Regulations. The development of the QRF has been underpinned by a comprehensive, systematic and participative approach that involved wide ranging consultations with key stakeholders including:

- » Providers;
- » Parents;
- » The Early Years Inspectorate;
- » Many organisations across all stakeholders in the Early Years sector in Ireland; and
- » International peers and regulatory organisations.

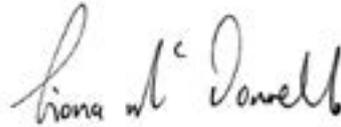
The preliminary consultation with parents, registered providers and representatives from the Early Childhood Sector was particularly helpful to us in identifying areas of concern and in providing detailed feedback about key areas. The final consultation provided an opportunity for all registered providers, national organisations and other key stakeholders to participate in a structured way. The assistance of the Department of Children and Youth Affairs and the Tusla Early Years Representative Consultative Forum were particularly important in guiding the development and the feedback and engagement with Early Years Childhood Care and Education leaders from international organisations ensured important insights and emerging issues were taken into account in the final QRF. The development of the QRF has benefited greatly from this extensive consultation process and recommendations made through the consultations were incorporated in to the final QRF document.

This framework will support registered providers in achieving compliance with the regulations and through that enhance the safety and care of children who attend these services. It will also support and promote standardisation across the Inspectorate. We are very grateful to all the people who attended meetings, completed detailed templates on key elements of the QRF, responded to requests for their opinions and expert advice and who gave so generously of their time to participate in this important work. The QRF reflects your input as well as that of the national and international literature.

Finally, we would like to congratulate and thank Ms Helen Rouine, National Quality Improvement Manager, who has led this development from inception and who has carefully balanced the research evidence with the current context for early years care and education in Ireland throughout the process.



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Summary and overview

This summary report provides an overview of the findings from the consultations that took place at two time points in respect of the draft Quality and Regulatory Framework (QRF) developed by Tusla Early Years Inspectorate who are the statutory regulator for Registered Early Years Services in Ireland.

The development of the QRF builds on the work of the early years inspectorate throughout 2015 and 2016 in developing standardised levels of evidence required for each regulation. The overall aim of the Tusla Early Years Inspectorate in developing the QRF is to set out the Regulators' interpretation of each of the 2016 Regulations in a transparent way and to present the parameters under which services will be assessed for compliance with the regulations.

In doing so, services will be assisted in complying with regulations and, through that, the quality and safety of services provided to children within Early Years Services will be improved. The preliminary consultation process took place between January and February 2017 and sought to elicit and take account of the views of key stakeholders on this new initiative undertaken by the Early Years Inspectorate. Structured consultations took place at two timepoints in the overall development.

The final consultation took place between January and February 2017 with representatives from the Early Years Sector. The second consultation took place from November 2017-January 2018 and provided an opportunity for all stakeholders to have their views and recommendations taken into consideration in the final draft of QRF.

In April 2018 a final draft version of the Framework was circulated to and discussed with the Early Years Inspectorate Consultative Forum, Childminding Ireland (with specific regard to the Framework for Childminders) and representatives from the Inspectorate for any final comments prior to publication.

Overview of preliminary consultation (from January – February 2017)

The purpose of this consultation was to provide the Inspectorate with an understanding of key stakeholder views on the overall approach being adopted to the QRF and to provide an opportunity for participants to contribute to the development of a further draft QRF document for further consultation with all stakeholders in quarter 4 of 2017. The consultation included six face-to-face

events with key stakeholders, which included Early Years Inspectors (EYIs) (n = 46), parents (n = 8), Providers (n = 42), an extended Early Years Representative Consultative Forum (n = 17), the National Council for Curriculum and Assessment (n = 3) and the Department of Education and Skills (n = 2). The draft QRF document was not circulated prior to the consultations in order to ensure the focus of discussions were on general issues arising related to the QRF rather than on the content of the document.

Each consultation followed a standard format and participants were given an opportunity to present their views on the benefits, challenges and supports required in respect of the initiative (Appendix 1).

Findings from the preliminary consultation

The findings from the process show that, in general, there is good support for this initiative and, in a show of hands, almost all participants at the consultations agreed that it was a positive development. The main areas arising include:

- » positive commentary including the benefits;
- » challenges in implementation;
- » issues arising in respect of the length, language used, and format of the document;
- » the importance of consultation with all stakeholders; and
- » the use of the QRF in the assessment of compliance.

Benefits of the QRF

In-depth discussion identified a number of specific benefits arising and these included:

- » the potential to bring clarity to the Regulations and their assessment by Inspectors;
- » the availability of an evidence-informed resource that brings all relevant regulatory material together in a single document that can be used by all stakeholders;
- » the potential of the resource to support standardisation and consistency in service delivery and inspection;
- » the potential of the resource to provide an interface across all of the different developments being implemented;
- » the opportunity to increase the accountability of Providers and Inspectors; and
- » its potential to develop a common language in the sector.

Challenges highlighted

Challenges were also identified and these included:

- » the introduction of a new initiative in the context of a number of new initiatives already taking place resulting in an increasingly complex and challenging environment for stakeholders;
- » the length, format and content of the document;
- » a need for clarity in the purpose of the draft QRF and its role in assessing compliance; and
- » the timing of implementation.

Supports required and recommendations made following the preliminary consultation

Recommendation: Engage with Services Providers and other stakeholders

Supports required

1. Facilitate Providers to give feedback on the QRF through face-to-face mechanisms.
2. Consider providing a helpline to ensure timely responses to queries.
3. Explore how the QRF can assist in supporting consistency across the voluntary and statutory organisations in the sector.

Recommendation: Make the QRF accessible

Supports required

4. Create different documents for each service type in an easy to read format.
5. Examine how the document can be formatted in a way that it incorporates the principles of good design.
6. Make the QRF available in both hard and soft copy including interactive websites, podcasts, and linkages with other resources.
7. Remove references from the document, while incorporating an acknowledgement of other national developments taking place.
8. The document should be written in plain English, approved by Tusla legal advisors and include a disclaimer.
9. Make the QRF available in other languages, as appropriate.

Recommendation: Ensure appropriate training takes place

Supports required

10. Provide training as required for both Providers and Inspectors.
11. The training should be provided by knowledgeable trainers to support Providers in the implementation of the QRF.
12. Prepare a specific module for inclusion in Early Years education and training and consider licensing the module to Tusla.

Recommendation: Timeline for implementation

Supports required

13. Identify a reasonable lead-in time for implementation.
14. Give consideration to the time of the year to commence implementation.

Recommendation: Provide supports for Providers

Supports required

15. Ensure paid continuous professional development .
16. Provide additional funding to meet the administrative requirements of the Regulations.
17. Provide a dedicated website, podcasts, templates.
18. Make guidelines for policy development available.

Recommendation: Provide supports for Inspectors

Supports required

19. Allocate a national lead and put a Steering Group in place to oversee implementation of the QRF.
20. Ensure that the Inspectors have sufficient time to familiarise themselves with the QRF.
21. Ensure appropriate training for Inspectors, including taking account of areas of non-compliance emerging from inspections.
22. Implement and evaluate a pilot scheme to identify issues arising in the process of implementation of the QRF.
23. Consider co-inspection (with two inspectors) during the initial period of the implementation of the QRF, and
24. Provide appropriate IT and administrative support for inspections.

Overview of final consultation (November 2017 – January 2018)

The final consultation included an online survey which took place between November 2017 and January 2018 and a small number of submissions from national and international organisations.

Positive aspects of the QRF

There was agreement/strong agreement that the QRF

- » provides a comprehensive source of information (73%),
- » provides detailed guidance to assist and support services (64%),
- » identifies the specific evidence required for compliance of each regulation (64%),
- » will help services to be compliant with the 2016 regulations (60%),
- » will support standardisation and consistency (60%)
- » will ensure inspections are open and transparent (56%) and
- » will be useful to the early years services (63%).

About half of respondents agreed or strongly agreed that early childcare and education services were already implementing the requirements set out in the QRF in respect of governance (51%); health, welfare and development of the child (55%); safety (58.5%) and premises and facilities (55%).

In addition to the online consultation submissions were received from a number of national and international organisations. In general, the QRF was widely welcomed and a number of submissions highlighted its value to the Early Years Sector in clarifying the steps necessary to meet regulatory requirements.

Challenges associated with QRF

Challenges in respect of governance focused on the volume of administrative requirements resulting in extensive “paperwork”. Difficulties in respect of the number of policies, procedures and statements arising from the 2016 Regulations as reflected in the QRF were also highlighted as problematic with the Annual Review identified as particularly challenging. Other issues arising included the lack of payment for noncontact hours; difficulties with vetting (Garda, Police), challenges in meeting the adult-child ratios, the grandfather clause relating to the FETAC level 5 qualification and the requirement for written references for staff.

In respect of the health, welfare and development of the child, the concerns related to the areas relating to food and drink; the use of cots for all children under 2 years (rather than mats on the floor), toileting; ratio of adults to children, particularly when undertaking outings; the cross over between inspections being conducted by Tusla and the Department of Education and Skills; and the Access and Inclusion Model.

Safety issues were also considered challenging and it was suggested that the QRF needed to provide a better balance between allowing children to take risks and ensuring they are safe while doing so; some areas of ambiguity; and particular issues were raised about childminders.

Challenges were also identified in respect of premises and facilities and it was suggested that less stringent requirements should be in place for small, home based services. It was also suggested that where premises are rented it can be difficult to get improvements and there were calls for funding to be provided to update building that did not meet the requirements. The time required to get planning permission was also highlighted as problematic if changes had to be made.

A number of specific challenges were identified in respect of the childminding sector and these related specifically to a need to differentiate between home settings and purpose built crèches; difficulties in meeting the administrative requirements outlined in the QRF and the potential additional costs involved in meeting the regulatory requirements.

Helpful supports identified

A number of supports were identified as extremely helpful including

- » the availability of guidelines supports and templates for policies (79.5%)
- » education and training (71%) and
- » a hard copy of the QRF (64.5%).

The most urgent training needs were identified in the area of emotional support and behaviour management (77%) and the inclusion policy (54%).

Recommendations for improvement

1. Shorten the length of document .
2. Ensure the language, format and layout of the document meets best practice.
3. Ensure the QRF is coherent with Aistear/Síolta where appropriate.
4. Have a more specific document for Childminders.
5. Provide standard guidelines and templates for policies and statements.
6. Make funded training accessible.
7. Create an online resource for the QRF that will provide a single point of information.
8. Ensure the final documents are made available in hard copy and accessible format.
9. Ensure there is a clear timeline for implementation on a phased basis.

