

Announcement – Impending Amendment to the Child Care Act 1991 – Registration of Early Years Service

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Introduction

- **creation of the Children & Families office was the key vehicle of reform within social care & child protection**
- **Amongst the reforms tabled early years reform agenda commenced late 2011**
- **Goal was to align Pre School Regulation with evidence based best practice under an awareness of models applied in other jurisdictions**
- **Purpose was to move as quickly as possible to replacing the notification model with a registration model**

National Reform Programme – commenced late 2011/ Early 2012

Initial tasks :

- **improved alignment of Inspection practices**
- **consistent interpretation of the Pre-School Regulations**
- **more coherent and standardised methodology**
- **National leadership within Children and Families to support the pending changes**

National Reform Programme cont..

Documents developed to support a standardised approach

- **Question & Answer Document**
- **Standard Operating Procedures**
- **Guidance Documents**

National Reform Programme – commenced late 2011/early 2012 cont....

Publication

- **Retrospective Reports**
- **from July 1st new editorial process**

Implication

- **Reports not designed for publication being published**
- **Retrospective**
- **Inspector undertaking more admin duties**
- **Challenges to adherence to the administrative law**
- **Collaborative work with Pobal**

Implication cont...

- Limited resources/time implications/expertise
- Increased training for Inspectors
- More explicit complaints received
- Increase and ongoing media demands
- Lack of an ICT infrastructure

Positives

- Move to transparency of Inspection outcomes
- Creation of the national and regional editorial boards
- Improved quality of Inspection reports(post1/7/13)
- Consistent application of the Health Act 2004
- Learning from other Inspectorates

National Reform Programme cont...

Disaggregation from HSE

- **Single delegation function previously now changing ;**
- **Memorandum of Understanding with work areas within the HSE**
- **Service Level Agreement with external partners**
- **Substantial admin task requirement for move to new agency**

Review and Analysis of 18 months Reports-ongoing

Objective – Phase 1

- **describe the extent to which services are in compliance/non compliance**
- **provide description of reporting process**
- **describe differences, commonalties & consistencies**
- **assess threshold of evidence applied in the reports**

Review and Analysis cont...

Objectives – Phase 2

- **Position findings from Phase 1 within a broader context and to take key developments currently under review**
- **Prioritise the main issues for development**
- **Identify a strategic framework**

Registration -Preparation

- **In preparatory phase and advancing quickly to next phase of reform**
- **Legislation changes pending**
- **Create a register of service providers**
- **Notification to the sector**
- **All newly notified from September 1st 2013 receive a pre Inspection visit**

Registration cont...

- **National Register of services to be created**
- **Model of Registration in tandem with Inspection against National Standards (pending publication) being developed**
- **Training of Registrars and Inspection Officers**
- **From January 1st all existing providers will be deemed registered**

Registration cont...

- **Testing of the model ,review and adjustments will be made**
- **Commence registration on new providers first**
- **Move to re-registration of existing providers**
- **Ongoing but limited consultation as we progress**

Child and Family Agency Bill 2013

New Amendments;

Part 7(a)

Supervision of Early Years Services that provides substantial amendment to Part 7 of the CCA,1991

- **alters the definition of a pre school service to early years service which is more comprehensive and includes all Montessori and after school care**
- **requirement for all early years services to be registered, deemed an offence if not registered**
- **Prescribes increased powers of enforcement to C&F**
- **Allows Minister to stipulate the level of qualification requirement of the sector**

Child and Family Agency Bill 2013

Implications

- **will replace the current notification system**
- **all current notified deemed registered by legislation from Jan 1st 2014**
- **centres are required to register every 3 years**
- **Inherent within the bill is a legislative right of reply by providers to challenge proposed registration decisions**

Child and Family Agency Bill 2013

Alterations to enforcement

- **Primary enforcement powers will lay with the C&F Agency by way of alteration of registration**
- **This will not require recourse to the courts**
- **Non compliance with regulation and standards is an automatic offence and can be addressed by either alteration of registration by attaching conditions or removal from the register which will essentially deem the service as closed**

Right from the Start – Early Years Strategy 2013

Starting Point

- **Safeguard children against harmful practice and ensure minimum standards are met**
- **Help to support the translation of quality standard into practice**
- **Provide parents and the public with assurance that services are of a consistent quality**
- **Provide benchmarks against which service can develop, enhance and maintain services for children**

Right from the start cont...

- **Focus on quality and continuous quality improvement**
- **Progress to a regulatory system that has an advisory, developmental and supportive role**
- **Holistic collaborative approach**

Main Messages

- **Large task, complex task however it is timely, necessary and welcome**
- **Reform by its nature is inherently challenging overwhelming and the magnitude of reform required will not be easy on any of us**
- **Once we keep to the road of change together we can embrace this momentous opportunity to improve children's experience of growing up in Ireland today- that is our challenge!**