



# Compliance Guide for Service Providers - ECCE

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**An Roinn Leanaí, Comhionannais,  
Míchumais, Lánpháirtíochta agus Oige**  
Department of Children, Equality,  
Disability, Integration and Youth



## Contents

1. Introduction.....	4
1.1 How to Use this Document.....	5
2. Preparing for Your Compliance Visit .....	6
2.1 Requirement to facilitate compliance visit .....	7
3. The Compliance Visit – Overview.....	9
3.1 Duration of Compliance Visits .....	9
3.2 Compliance Visits.....	9
3.3 Compliance Outcomes.....	10
3.4 Compliance Outcomes – Request for review .....	12
4. Compliance Checks .....	13
4.1 Service Reference number (formerly DCYA Reference Number) & Tusla registration .....	13
4.2 Attendance Records.....	15
4.3 Registrations and Hive Updating Requirements.....	17
4.4 Documentation .....	19
4.4.1 Documentation Display Requirements – Fees Lists, Letters and Calendars.....	19
4.4.2 Document Filing Requirement .....	20
4.5 Fee Lists and Calendars .....	21
4.5.1 Fees lists.....	21
4.5.2 Calendars.....	23
4.6 Fees .....	25
4.6.1 Fees Records .....	25
4.6.2 Fees Charged.....	26
5. Additional ECCE Rules .....	27
5.1 Qualifications.....	27
5.1.1 Standard Capitation .....	27
5.1.2 Higher Capitation .....	28
5.1.3 Higher Capitation Full Time Equivalents (FTE).....	31
5.2 AIM Level 1 Inclusion Coordinator .....	32
5.3 Minimum Enrolment .....	33
5.4 Staff to child ratios.....	34
Appendix 1 – Compliance Checklist for Service Providers.....	36
Appendix 2 – Compliance Categorisations .....	39

## Acronyms used in this document

CCC	City/County Childcare Committee
CCSP	Community Childcare Subvention Plus
CCSU	Community Childcare Subvention Universal
DCEDIY	Department of Children, Equality, Disability, Integration and Youth
ECCE	Early Childhood Care and Education
EYPC	Early Years Provider Centre
FTE	Full Time Equivalent
HC	Higher Capitation
NCS	National Childcare Scheme
PIP	Programme Implementation Platform
SC	Standard Capitation
VO	Visit Officer

## COVID-19

All Pobal compliance visits in the 2021/2022 programme cycle will be undertaken in adherence with public health guidelines during the COVID-19 pandemic. In addition, all checks undertaken will take account of any flexibility of the programme rules notified to providers through announcements on the Hive. This document has been prepared on the assumption of on-site visits.

Previously, as an interim measure, compliance checks were conducted remotely with Compliance staff contacting Service Providers for submission of documentation online. Should this become a requirement going forward Service Providers will be supported in this with guidance on how to collate and submit the requested documentation to Pobal. DCEDIY and Pobal continue to monitor the COVID-19 situation and any changes that might be required regarding onsite inspections will be communicated via the Hive/PIP portals.

# 1. Introduction

Pobal is contracted by the DCEDIY to conduct compliance visits with participating childcare service providers who operate one or more of the national childcare programmes. These national childcare programmes are Early Childhood Care and Education (ECCE), the National Childcare Scheme (NCS), and the Community Childcare Subvention Plus (CCSP) Saver Programme (including the Community Childcare Subvention Universal (CCSU)). The ECCE programme and NCS are available on the Hive (Early Years Platform). The CCSP Saver Programme including CCSU is available on the Programme Implementation Platform (PIP). A range of standardised compliance checks are carried out during the course of these visits to ensure that services are complying with DCEDIY rules and conditions as outlined in your Programme Funding Agreements, the Programme Rules and Policy Guidelines documents. The purpose of the compliance checks is to provide assurance to DCEDIY and the Exchequer that the significant amount of funding distributed through the early learning and care programmes is protected.

This document provides guidance and assistance to service providers when preparing for a compliance visit (there are separate Compliance Guides for Service Providers for the CCSP Saver programme and the NCS). We have outlined the overall compliance process, which incorporates the reviews conducted for quality control purposes, together with the possible compliance outcomes and the remedial action required.

The **Compliance Checklist for Service Providers 2021-2022** (see **Appendix 1** and also available on the Hive) details the information/documents that may be requested during a compliance visit.

It is the responsibility of the service provider to ensure compliance with their contractual requirements. It is important to note that failure to provide the necessary information and/or records on the day of the compliance visit may result in the service being deemed non-compliant and in breach of contractual requirements under your DCEDIY Funding Agreements. Therefore it is recommended that service providers prepare and maintain a compliance file containing the relevant documentation to accommodate a compliance visit (see Section 2. *Preparing for your Compliance Visit* below).

This document includes references to certain clauses within your Funding Agreements, the Rules Documents and/or programme guides associated with some of the individual compliance checks i.e. identifying the rule(s) it stems from. It should be noted however that this document cannot be considered an exhaustive list of every check conducted as it does not cover every funding agreement clause and/or rule.

DCEDIY programme requirements and the compliance checks don't remain static and there can be changes from time to time. It is essential that service providers familiarise themselves with the most up to date programme information including:

- Funding Agreements
- DCEDIY Rules for the ECCE Programme
- AIM Rules 2021/2022

The Rules documents are available on the Hive. Any changes/amendments to these will be communicated through Hive. There is also supplementary information available on the Hive and Pobal/DCEDIY websites including the Pobal programme guides.

### 1.1 How to Use this Document

	This icon indicates a reference to your Funding Agreement(s), DCEDIY Rules for Childcare Programmes, programme guides or other resources which can be referenced for more detailed information and/or guidance.
	You will see this icon throughout the document to indicate important or helpful information which you may need to consider further.

## 2. Preparing for Your Compliance Visit

Advance preparation is key to a successful compliance visit. To help you plan and prepare for your compliance visit it is recommended that you maintain a compliance folder with all the requisite documentation. There is an individual compliance checklist available for each of the DCEDIY funded programmes which are updated each programme year/cycle. Please see **Appendix 1** or these can be accessed on the Hive – *Compliance Checklist for Service Providers 2021-2022*. It may be useful to place a copy of the individual checklists for each of the programmes you are participating in at the front of your compliance folder/file.

It is important that the key documentation is readily available at all times to facilitate the compliance visit and to reduce the duration of the visits. It might be useful to consider the following questions on a regular basis:

- Do you have all the necessary documentation in your compliance folder?
- Do you have adequate attendance records on-site which record actual arrival and departure times and facilitate the review of patterns of attendance?
- Are your Hive registrations up to date and reflective of current attendance levels?
- Is there a designated staff member on-site with access to the compliance folder?

It is acknowledged that some services file their records in alternative ways which is acceptable, but it should be noted that records must be available to enable the Visit Officer (VO) to complete the compliance visit in a reasonable timescale. In this regard it is essential that there is always a staff member on-site with access to the compliance folder and records in the event of a visit.



- Become familiar with the programme information, including your Funding Agreements, DCEDIY Rules for Programmes, programme guides and the Compliance Checklists for Service Providers.
- Collate all documents required from the checklist and build a compliance folder of documents so that records are maintained and readily available at all times
- Set aside time regularly to review and amend the Hive registrations so that they are accurate and reflect the level of attendance.

## 2.1 Requirement to facilitate compliance visit

### i. Programme Rules, Terms & Conditions:

*‘Services must facilitate compliance visits which will be made without notice, to include access to the premises, personnel and relevant records.’*



- **DCEDIY Rules for ECCE Programme: 9.2**
- **ECCE Funding Agreements:**  
Clause 8: *Right of Verification and Audits*

All compliance visits will only be undertaken during dates and operational hours when the service calendar submitted to Pobal indicates that the service is open. However, it should be noted that ECCE visits may be undertaken at the end of an ECCE cycle should the service calendar show the service is in operation in relation to other programmes. It is important that all ECCE documentation is kept on-site and available for review to cover the above eventuality.

### ii. Compliance Check/s:

The VO will request access to a service providers premises to conduct a compliance review.

If a VO is unable to gain access to the service this could result in a non-compliant outcome for that visit<sup>1</sup>. It is requested that the service complete a Non-Admittance Form and give details of the reason that the visit is not being accommodated.



- **Pobal compliance visits may be announced or unannounced.**  
In the case of unannounced visits no notification will be made of the Pobal VO arriving at the service to conduct the on-site compliance checks
- In the absence of a manager/owner on-site, it is important there is a designated staff member in the service at all times who has responsibility for liaising with the Pobal VO.

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<sup>1</sup> If a service is operating but no-one is on-site for good reason, e.g. outings, graduations etc., this will not be deemed a non-compliant issue. Evidence of communication in relation to these events may be required at a later date to confirm the reason why no children or staff were on site.

### iii. Possible Non-Compliant Outcomes:

Compliance outcome	Compliance categorisation	Reason for outcome
Admittance Declined	Major Non-Compliant	VO refused admittance to service in order to conduct the visit.
Admittance gained but no records available for inspection	Major Non-Compliant	VO is given access to service but documentation required to complete visit is not accessible to staff on-site.
Service not in operation on day of visit	Major Non-Compliant	Service calendar indicates service is open but not in operation. <sup>1</sup>

### iv. Remedial Action

The service must grant the VO access to the facility and to the relevant records pertaining to the programme(s) under review. A revisit may occur if admittance is declined or no records are available for inspection.

### 3. The Compliance Visit – Overview

Further detailed information on some of the specific types of checks is provided in section 4 of this guidance document.

#### 3.1 Duration of Compliance Visits

A compliance VO may arrive at a service at any time during service operational hours. The duration of a visit will vary depending on several factors:

- Number of programmes operating
- Number of children registered on the programmes.
- Form of record keeping
- The timing of the visit i.e. point in time in the cycle
- The number of records to be reviewed

Visits are conducted within service operational hours and the VO will not request staff to be available outside of these hours. On occasion a visit will not be completed within the first day of the visit and the VO may be required to return the following day.

#### 3.2 Compliance Visits



- Please note all Pobal VOs are Garda vetted and hold official Pobal photographic ID
- A VO has a specific role within a childcare service i.e. checking adherence to programme rules and will not be left alone in the presence of children at any time during the visit.

On arrival, after initial introductions and briefing, the VO will request access to attendance records and documentation detailed on the Compliance Checklist for Service Providers. The VO will also request access to ECCE rooms and make enquiries as to the number of ECCE sessions in operation, staff cohort and the numbers of ECCE and non-ECCE children enrolled in each session.

The VO will endeavour to keep disruption to the service to a minimum in so far as possible, but a designated staff member will be required to facilitate the visit. However, advance preparation for the visit can also assist in that regard and potentially reduce the time required of the designated staff member. If all the requisite documentation is readily available in the compliance folder, the designated staff member may not be required for the full duration of the visit. As you will appreciate the VO may require clarifications during the course of the visit and upon conclusion will require a member of staff to be available to meet with him/her.

A record of the compliance visit is completed by the VO on a computer tablet. A compliance form is completed on the tablet for each programme operated by the service separately and compliance outcomes are issued for each programme separately.

On completion of the visit, the VO will go through the preliminary findings with the staff member facilitating the visit, highlight any non-compliant issues identified and request that the staff member review the information recorded on the form. The staff member will then be requested to electronically sign the form confirming that all documentation and explanations provided to the VO and recorded on the form are true and correct.

All visits are subject to review for quality control purposes by a Compliance Reviewer. This is an additional quality control measure in the interest of ensuring consistency across all compliance visits/outcomes. This can on occasion result in subsequent amendments to the preliminary findings/non-compliance issues highlighted during the visit i.e. issues may not be deemed non-compliant in final outcomes or additional non-compliance issues may be identified at review stage.

Visit Officers reserve the right to take copies of any records, books or other documents or extracts therefrom, that they find during the course of their inspection. Please note that a service provider may receive more than one visit during a cycle.

### 3.3 Compliance Outcomes

As the compliance visit is an onsite check, the outcomes are based on the documentation/ information made available on the day of the visit. With the exceptions of copies of staff qualifications, information submitted post visit cannot be considered in determining the final outcome. The compliance outcomes are issued by email to the primary authorised user email address on the Hive. If a service has queries in relation to the compliance outcome the compliance team can be contacted by emailing [cvisit@pobal.ie](mailto:cvisit@pobal.ie).

The notification email issued to the primary authorised user will give an overall outcome for each programme reviewed during the compliance visit. The compliance outcomes categories are as follows:

- Compliant,
- Minor non-compliant,
- Moderate non-compliant, or
- Major non-compliant.

The table below provides a summary of the compliance outcome categorisations and examples of the main reasons for a given outcome. More detailed information on compliance categorisations in ECCE is available in **Appendix 2, Compliance Categorisations** (also available on the Hive as part of the Compliance Checklist for Service Providers).

**Table 1: Summary of Compliance Categorisations:**

Outcome	Reasons
Major non-compliant	<p>Generally relates to issues which may have a potential material negative impact on Exchequer funding :</p> <ul style="list-style-type: none"> <li>• Failure to facilitate a visit</li> <li>• Records not available for review*</li> <li>• Hive updating *</li> <li>• Inadequate attendance records*</li> <li>• Higher Capitation Staff qualification issues (ECCE)*</li> <li>• Service not meeting AIM Level 1 requirements</li> <li>• Not meeting Higher Capitation Full Time Equivalent (FTE) (ECCE)*</li> <li>• Service provision issues*</li> <li>• No DCEDIY and/or Tusla registration</li> </ul>
Moderate non-compliant	<ul style="list-style-type: none"> <li>• Moderate instances of * above</li> <li>• Signed Hive declaration issues</li> <li>• Standard Capitation Staff qualification issues</li> <li>• Fees/Subvention issues</li> <li>• ECCE room not meeting minimum staff ratio requirements</li> </ul>
Minor non-compliant	<ul style="list-style-type: none"> <li>• Minor instances of * above</li> <li>• Fees List issues</li> <li>• Minimum enrolment (ECCE)</li> </ul>
Compliant	<ul style="list-style-type: none"> <li>• No issues identified (based on sample records checked)</li> </ul>

The overall compliance category for each programme will reflect the highest non-compliant categorisation for that programme. The notification email will also give a breakdown of each of the non-compliance outcomes.

If there is a finding of incorrect registrations, a second email is issued with an attached spreadsheet listing all updates required. If a service requires assistance in completing the required Hive updating, an Early Years Provider Centre (EYPC) representative can be contacted by raising a Request on the Hive, or by phone 01 5117 222 or [eypc@pobal.ie](mailto:eypc@pobal.ie)



- Depending on the type of non-compliance issue(s) noted during the visit the service may receive an additional compliance visit (revisit) during the same cycle and/or in the next cycle.

It is expected that remedial actions are undertaken by services as soon as is practicable. In the event of visits undertaken towards the end of a cycle this can have an impact on the remedial action required.



- The local City/County Childcare Committee (CCC) are available to provide on-going support with all DCEDIY Childcare Funding programmes

### **3.4 Compliance Outcomes – Request for review**

If a service provider does not agree with the outcome of a compliance visit a request for a review of the outcome can be made by emailing [cvisit@pobal.ie](mailto:cvisit@pobal.ie). The review of the outcome will be undertaken by the Compliance Team or the Early Years Team depending on the circumstance of the request and a response issued by email to the service provider explaining the rationale for the outcome.

## 4. Compliance Checks

There are a number of checks that are common to all DCEDIY funding programmes (exceptions noted). The following section of this document outline details of some of these checks. The ECCE funding agreement requirements and/or rules as laid out in the DCEDIY Rules for ECCE Programme are also outlined.

We have also attempted to document possible non-compliant outcomes in relation to these checks as well as the most common reasons for these outcomes. Examples have been given as a guide but please note it is not all inclusive and there may be a small number of additional reasons for particular outcomes which are not documented below.



- The following is not an exhaustive list of all possible outcomes and depending on circumstances during a visit, additional checks may be required and the outcomes / rationales may differ.

The compliance checks may be conducted by the VO for each DCEDIY programme in any order, depending on circumstances.

### 4.1 Service Reference number (formerly DCYA Reference Number) & Tusla registration

#### i. Programme Rules, Terms & Conditions:

*‘A service must be registered with Tusla to receive funding from DCEDIY. Services who provide both an ELC and an SAC service must be registered with Tusla for both services. All facilities/locations operated by a service must be registered with Tusla, have an individual Service Reference number and children must attend the facility/ location in which they are registered. Proof of Tusla registration must be available on the premises for inspection if required.’*



- **DCEDIY Rules for ECCE Programme:** 1.3; 1.5
- **ECCE Funding Agreement:** Clause 3.3 *Terms and Conditions of Funding.*

*‘Service providers must be registered with Tusla for the places being provided...E.g. services cannot be funded for part-time places when registered with Tusla as a sessional service.’*



- **DCEDIY Rules for ECCE Programme:** 1.3
- **ECCE Funding Agreement:** Clause 3.2 *Terms and Conditions of Funding.*

Each facility/location operated must obtain a separate Service Reference number and be subject to the appropriate Tusla inspection and Change of Circumstance requirements.

**ii. Compliance Check/s:**

The VO will check that the service provider has a separate Service Reference number for each facility/location it operates.

During a compliance visit where it is identified that a service is operating in an additional facility/location without a separate Service Reference number:

- Services without appropriate Tusla registrations must contact Tusla immediately in order to obtain appropriate registration status. They will also be requested to contact their local CCC and Pobal to obtain a separate Service Reference number.
- Services with appropriate Tusla registration for an existing facility and the additional facility, must contact their local CCC and Pobal to obtain a separate Service Reference number for the additional facility.

Registrations for children attending the additional location without a Service Reference number and/or appropriate Tusla registration may require updating on the Hive.

**iii. Possible Non-Compliant Outcomes:**

<b>Compliance outcome</b>	<b>Compliance categorisation</b>	<b>Reason for outcome</b>
Service operating additional facility with no Service Reference number and pre-school facility / afterschool facility not registered with Tusla	Major non-compliant	Service operating from location which has not been registered with Tusla and does not have a Service Reference number
Additional facility, which is Tusla registered, operating in a separate location without Service Reference number	Major non-compliant	Service operating from location which is registered with Tusla but does not have a Service Reference number
Registration/s deemed incorrect and Hive updating required	Major / Moderate / Minor non-compliant determined by the % of incorrect registrations identified.	Registrations ineligible

#### iv. Remedial Action required:

Services must, where required, contact Tusla, their local CCC and Pobal in order to obtain a Service Reference number for the additional facility. All children attending an additional facility should be re-registered under the new Service Reference number.

## 4.2 Attendance Records

### i. Programme Rules, Terms & Conditions:

*'Service Providers must keep an accurate record of each child's actual attendance to include daily arrival and departure times for each child. The services' registrations on the Hive must match actual attendance (actual child attendance and not opening times of session/service) as recorded in the attendance records.'*

*'Attendance records must be kept in an appropriate manner that is sufficient to establish actual duration of attendance of each named child in terms of hours.'*

*'Failure to maintain attendance records may result in an assumption of zero hour's attendance.'*

*'Failure to maintain sufficient attendance records (e.g. where attendance records are kept, but in a format which does not allow a compliance visit officer to determine the hours which a child has attended, such as through use of "ticks") may result in an assumption of minimal hours attendance (i.e. sessional/half sessional service).'*

*'The DCEDIY may withdraw future payments from the provider and/or require repayment of over-claimed monies already paid for the period concerned.'*



- **DCEDIY Rules for ECCE Programme:** 8.1, 8.2, 8.3
- **ECCE Funding Agreements:** Clause 7: Access and Reporting Requirements
- **Good Practice Guide – Attendance Records** – attached as appendix to Rules document and available on the Hive

### ii. Compliance Check/s:

Services in receipt of DCEDIY childcare funding are required to keep appropriate records of attendance for all children and to make these records available for inspection. The VO will review the records to establish that records are adequate and to confirm:

- Service opening times/days/ weeks are as per calendar submitted
- That Hive registrations are correct in terms of days per week and session type attended and include actual arrival and departure times.
- ECCE staff to child ratios are being met
- ECCE Higher Capitation minimum staff requirements are met
- ECCE Higher Capitation FTE is correct

Details of the minimum requirements for attendance records are laid out in detail in the **Rules documents and Good Practice Appendices as outlined in the box above.**

iii. Possible non-compliant outcomes:

Compliance outcome	Compliance categorisation	Reason for outcome
Records in relation to attendance not available on-site	Major non-compliant	Attendance records are not kept onsite for all or part of cycle <sup>2</sup>
Attendance Records not adequate	Major non-compliant	Attendance records do not meet requirements as laid out by DCEDIY. Compliance with programme rules cannot be confirmed.  Examples: <ul style="list-style-type: none"> <li>Records do not allow the VO to accurately track attendance of all registered children</li> <li>Records do not allow the VO to review registrations in a timely manner</li> <li>Children's times of arrival and departure are not recorded or are not recorded by staff in real time i.e. as child arrives and departs.</li> <li>Records do not allow VO to confirm ECCE staffing and Higher Capitation requirements are being met.</li> <li>Large number of inconsistencies / gaps in records</li> <li>Where attendance is recorded in advance</li> </ul>
Attendance records available but some gaps/inadequacies identified	Moderate non-compliant	Attendance records do not meet requirements as laid out by DCEDIY but do allow the VO to track attendance of all registered children.  Examples: <ul style="list-style-type: none"> <li>Number of gaps during the programme cycle of times in/out but pattern of attendance</li> </ul>

<sup>2</sup> For periods where no attendance has been recorded or made available for review it may be deemed that the service was not in operation for this period.

		<p>could be established</p> <ul style="list-style-type: none"> <li>Attendance records missing for a limited number of days during the cycle but pattern of attendance could be established</li> </ul>
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iv. Remedial Action required:

Service providers must ensure that attendance records are on-site for the full cycle period of all registrations. Where inadequacies have been identified these should be addressed immediately to ensure appropriate records are kept going forward.

### 4.3 Registrations and Hive Updating Requirements

i. Programme Rules, Terms & Conditions:

*'Where attendance differs from registration in a consistent pattern over a four week period, registrations must be updated to reflect the actual pattern of attendance. An update on the Hive must occur immediately after the four weeks of the reduced attendance pattern commencing. Failure to update registrations to reflect the actual attendance pattern will result in an over-claim due to the Department. Over-claims will be recouped in accordance with the terms of the ECCE funding agreement.'*

	<ul style="list-style-type: none"> <li><b>DCEDIY Rules for ECCE Programme</b> 7.1; 7.3; 7.4; 7.5</li> <li><b>ECCE Funding Agreements:</b> Clause 4.5; 4.12 <i>Undertakings and Warranties</i>; 7.1; 7.2; 7.3 <i>Access and Reporting Requirements</i></li> </ul>
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ii. Compliance Check/s:

The VO will review the attendance record of each ECCE registered child to confirm that the child is attending as registered. The attendance record is the only record that is used to establish attendance. If a child has not been recorded in the attendance record, it will be deemed that the child did not attend. Compliance checks take account of any special circumstances approved by Pobal at date of visit.

The VO will highlight to the staff member facilitating the visit each incorrect registration identified, if any, with reference to the attendance records. The VO will record on the compliance form that the review has been completed and all of the incorrect registrations identified have been discussed with the staff member (note that this is subject to a second desk-based review, post-visit).

A list of incorrect registrations will be issued to the service following the visit (please note this may be subject to change upon review, post-visit). However, the amendments can be made immediately following the visit should the service provider wish to note the registrations and complete the updates required prior to receipt of

this list. The percentage of children with an incorrect registration will determine the level of non-compliant outcome.

It is the responsibility of the service provider to ensure that all relevant attendance records are made available to the VO on the day of visit for review. Where the attendance records are not made available this may result in the registration being deemed incorrect and/or ineligible.

It should be noted that in the case of a large volume of registrations, sampling may apply.

**iii. Possible non-compliant outcomes:**

<b>Compliance outcome</b>	<b>Compliance categorisation</b>	<b>Reason for outcome</b>
Registrations deemed incorrect and Hive updating required.	Major / Moderate / Minor non-compliant determined by the percentage of incorrect registrations identified.	<p>Examples:</p> <ul style="list-style-type: none"> <li>• Child has been absent for more than 4 consecutive weeks and special circumstances has not been approved.</li> <li>• Attendance days differ from registration in a consistent pattern over a 4 week period and Hive has not been updated e.g. Child registered for 5 days but only attending 3 days.</li> <li>• Leavers not updated on the Hive or incorrect leave date entered.</li> <li>• Registration start date incorrect.</li> <li>• Child registered but did not take up a place.</li> <li>• Child does not appear in the attendance record.</li> </ul>
Registration/s incorrect with regard to facility child/ren is attending	Major / Moderate / Minor non-compliant determined by the percentage of incorrect registrations identified.	A child is attending a different/sister DCEDIY registered facility to which they are registered.

**iv. Remedial Action required:**

Following the visit service providers will be issued an excel list of any incorrect registrations identified during the visit. It is requested that updates are completed within 10 working days of receipt of this list. Updates may be completed prior to receipt of list as noted above.

## 4.4 Documentation

### 4.4.1 Documentation Display Requirements – Fees Lists, Letters and Calendars

#### i. Programme Rules, Terms & Conditions:

*‘A copy of the Fees List, together with copies of any standard letters (to include Service Fees Information letters) that relate to DCEDIY funded programmes issued to parents, must be published in an area of the service accessible and visible to parents as well as being clearly displayed on any online platform maintained by the Service Provider which is for the purpose of advertising its services.’*

*‘A copy of the service calendar, together with copies of any standard letters that relate to DCEDIY funded programmes issued to parents, must be published in an area of the service accessible and visible to parents as well as on any online platform maintained by the provider for the purpose of advertising its services.’*



- **DCEDIY Rules for ECCE Programme:** 2.10; 2.11; 3.3

#### ii. Compliance Check/s:

The VO will confirm if all the required documentation for all programmes with current registrations on the date of visit is on display and accessible to parent/guardians.

Where the most up-to-date version of both the Hive generated fees list and calendar for each programme are on display this is deemed sufficient for compliance purposes.

Where required information is not on display this may result in a minor non-compliant outcome.

#### iii. Possible Non-Compliant Outcomes:

Compliance outcome	Compliance categorisation	Reason for outcome
Service is not displaying the most up to date Fees List and/or Calendar	Minor non-compliant	ECCE with current registrations <ul style="list-style-type: none"><li>• Fees list and/or calendar is not on display at date of visit</li><li>• Fees list and /or calendar has been updated on Hive and documents on display are not the most up to date version.</li></ul>

#### iv. Remedial Action Required:

Service to ensure that all required programme documentation is on display from date of visit. If the fees list and/or calendar is updated during the programme cycle, the most up to date version must be on display and on any online platform maintained by the provider for the purpose of advertising its services.

## 4.4.2 Document Filing Requirement

### 4.4.2.1 Parents Service Fees Information letter

#### i. Programme Rules, Terms & Conditions:

*'Parents/guardians must sign the Hive Service Fees Information Letter to indicate that they understand the charges that the service will apply.'*



- DCEDIY Rules for ECCE Programme: 2.9

Service Providers must have a Hive Service Fee Information Letter signed by the parent/guardian on file in respect of each child registered on the programme. The letters signed by parents/guardians must be the letter generated from the current, most up to date fees list submitted on the Hive.

#### ii. Compliance Check/s:

The VO will check that there is a Service Fees Information Letter that has been fully signed and initialled by the parent/guardian for each child registered under ECCE, from the start of the current cycle. In the case of large numbers of registration the VO may ask to view a sample of letters.

If the VO finds that more than 10% of the children (or sample of children) do not have a fully signed Service Fee Information Letter on their file then this may result in a minor non-compliant outcome.

#### iii. Possible non-compliant outcome:

Compliance outcome	Compliance categorisation	Reason for outcome
Signed parent letters not on file for more than 10% children reviewed	Minor non-compliant	Greater than 10% of letters for all registrations, or for sample of registrations, not on file, or not fully signed/initialled, or not made available for review at time of visit. Or letter signed is not the most up to date letter generated from the Hive

#### iv. Remedial Action required:

Service to ensure that parent/guardians of all current registered children have fully signed the most up to date Hive Service Fees Information Letter.

#### 4.4.2.2 Hive Declarations

##### i. Programme Rules, Terms & Conditions:

*‘Service Providers must ensure that parents/guardians sign a Parent Declaration Form to indicate that they understand the terms of the programme and that all child registration details are accurate. A record of each agreement must be maintained on site by the Service Provider.’*



- DCEDIY Rules for ECCE Programme: 6.1.2

##### ii. Compliance Checks:

The VO will check that there is a signed Parent Declaration Form for every registration under the ECCE programme, from the start of the current cycle. In the case of large numbers of registrations the VO may ask to view a sample of declaration forms.

If the VO finds that 10% or more of the children (or sample of children) do not have a *signed* Parent Declaration Form on their file then this may result in a moderate non-compliant outcome.

##### iii. Possible non-compliant outcome:

Compliance outcome	Compliance categorisation	Reason for outcome
Signed Parent Declaration Forms not on file for more than 10% children reviewed	Moderate non-compliant	Greater than 10% of signed Parent Declarations for all registrations, or for sample of registrations, not on file or not made available for review at time of visit.

##### iv. Remedial Action required:

Service to ensure that parent/guardians of all current registered children have signed the Parent Declaration Forms.

## 4.5 Fee Lists and Calendars

### 4.5.1 Fees lists

##### i. Programme Rules, Terms & Conditions:

*‘Service Providers must complete a Fees list at the beginning of each programme year. A services’ fees list must show details of all the fees charged to parents, as well as details of any additional charges, optional extras as agreed by the local CCC or any discounts, applied by the service.’*



- **DCEDIY Rules for ECCE Programme:** Chapter 2
- **ECCE Funding Agreement:** Clause 2.1 *Pre Payment Conditions*



- The accuracy of a services fees list may also be checked by CCCs and Early Years throughout the programme cycle

### ii. Compliance Check/s:

For the purpose of the compliance visit, the VO will check that the current Registered Fees List on the Hive.

- Is completed correctly according to the programme guides,
- Reflects actual fees charged in the service, and
- Includes all required information

### iii. Possible non-compliant outcomes:

Compliance outcome	Compliance categorisation	Reason for outcome
Fees List does not comply with programme requirements	Minor non-compliant	<p>Fees list does not comply with requirements laid out in rules or programme guides document and/or are incorrect or inaccurate.</p> <p>Examples:</p> <ul style="list-style-type: none"> <li>• Fees list not completed correctly as per “How to” guide</li> <li>• Optional extras not included</li> <li>• All Optional extras listed together with one/no cost</li> <li>• Cost/frequency of optional extras not included or incorrect</li> <li>• Discounts not included (discretionary discounts may be excluded in some circumstances)</li> <li>• Deposits requested but not included</li> <li>• Deposit stated as non-refundable</li> <li>• All session types offered not included</li> <li>• Fees incorrect (i.e. monthly rate outlined instead of weekly rate / weekly rate incorrectly calculated / full subvention not applied / fees have increased but fees list not updated, evidence of notification of increase to parents should be evidenced otherwise non-compliance)</li> </ul>

		for overcharge) <ul style="list-style-type: none"> <li>• Non-pro rata rates not included</li> <li>• ECCE 3hr only session not included if applicable</li> <li>• Fees charged not in line with fees list e.g. a cohort of children not charged or undercharged.</li> </ul>
Charge for inappropriate optional extras	Moderate non-compliant	See Fees Charged, 4.6 .2, below

**iv. Remedial Action required:**

Service providers must update the Hive fees list to resolve any issues identified during a compliance visit and the revised fees list must be displayed in the service as well as on any online platform maintained by the provider for the purpose of advertising its services. Where appropriate, parents/guardians should be requested to re-sign updated Service Fees Information Letters.

**4.5.2 Calendars**

**i. Programme Rules, Terms & Conditions:**

*‘Service Providers must complete a Service Calendar at the beginning of each programme year... The calendar is subject to review by the Department/Pobal/CCC.’*

*‘A service calendar must be distributed to all parents/guardians showing the days the service is due to be open under the ECCE Programme year 2021/2022.’*



- **DCEDIY Rules for ECCE Programme: Chapter 3**

Services are required to submit a service calendar on the Hive with details of all days/weeks that the service intends to operate for the cycle.

ECCE services are contractually required to operate 183 days over 38 weeks (with the exception of those operating a 41 week service).

Any changes to a service calendar must first be approved by the CCC. In certain limited circumstances a calendar may not require an update subject to a force majeure approval.

## ii. Compliance Check/s:

The VO will review service attendance records to verify that records confirm calendar opening days.



- If force majeure has been approved (or applied for) the VO will request evidence of the approval and/or application.
- Force majeure should be formally applied for no later than 3 days after the incident, even if the incident is ongoing.



- **DCEDIY Rules for ECCE Programme:** Chapter 10
- **ECCE Funding Agreement:** Clause 12 – Force Majeure

Where a service has not been operating as per submitted calendar it will be found major non-compliant with regard to Service Provision if this affects the payable weeks. Where an ECCE service has not been operating as per submitted calendar but it is limited to one day this will be found moderate non-compliant. If a service is closed for 3 days or more in a single week this is regarded as a non-payment week.

## iii. Possible non-compliant outcomes

Compliance outcome	Compliance categorisation	Reason for outcome
Service provision is not delivering sufficient free hours/days/weeks	Major non-compliant / Moderate non-compliant determined by number of days	ECCE – service not operating 183 days as required. Force majeure not approved/applied for.

## iv. Remedial Action required:

Service providers must update the service calendar to reflect correct open days.

Where force majeure is not approved for ECCE service closures additional days may need to be added to the calendar and new calendar displayed and issued to parent/guardians.

## 4.6 Fees

### 4.6.1 Fees Records

#### i. Programme Rules, Terms & Conditions:

*'All documentation related to the financial affairs of the service, accounts, fees records...must be on-site at all times. These records must be kept for a minimum period of seven years from expiry of the Funding Agreement.'*



- DCEDIY Rules for ECCE Programme: 9.2

Services in receipt of DCEDIY childcare funding are required to keep appropriate records of fees charged to parent/guardians and to make these records available for inspection.

#### ii. Compliance Check/s:

The VO will review the fee records to establish that they are appropriate and the correct fee is being applied.

Fees records are not checked where no fees are charged e.g. ECCE 3hr only service, or for one off optional extras e.g. day trips.

#### iii. Possible non-compliant outcomes

Compliance outcome	Compliance categorisation	Reason for outcome
Records in relation to fees not available on-site	Moderate non-compliant	Fees records are not kept onsite or are not accessible on-site during the visit.
Fee records not adequate to allow compliance to be checked	Moderate non-compliant	Fees records are on-site but are not adequate to allow VO to confirm that correct deductions are being applied
Fee records available but some gaps/inadequacies identified	Minor non-compliant	Some fees records are on-site but not for some period of the cycle and /or not for all children.

#### iv. Remedial Action required:

Service providers must ensure that adequate fees records are kept on-site and made available for review in the event of a compliance visit.

#### 4.6.2 Fees Charged

##### i. Programme Rules, Terms & Conditions:

*'Where a child is attending a part-time or full-time service the ELC Service provider must reduce the fees paid by the parent/guardian by €64.50*



- **DCEDIY Rules for ECCE Programme:** Chapter 4 (4.3.11)

As per the submitted fees list, the fee charged to parent/guardians must include the appropriate reductions in childcare fees for qualifying parent/guardians.

##### ii. Compliance Check/s:

The VO will review the fee records to ensure that the correct fee deductions are being applied to all registered children.

Where the fees charged to parent/guardians are not in line with the fees list this may result in a non-compliant outcome.

##### iii. Possible non-compliant outcomes

Compliance outcome	Compliance categorisation	Reason for outcome
Fees charged are in excess of Registered Fees List amounts	Moderate non-compliant	Examples: <ul style="list-style-type: none"> <li>• Fees charged in excess of listed fees</li> <li>• Nominal fee charge where capitation covers cost of place</li> <li>• Fees increased by service but Fees list not updated</li> </ul>
Charge for inappropriate optional extras	Moderate non-compliant	Examples: <ul style="list-style-type: none"> <li>• Fees are charged for extras not permitted in the DCEDIY guidance on optional extras</li> <li>• Fees charged for extras listed as optional but all parents requested to pay regardless of uptake</li> </ul>

##### iv. Remedial Action required:

Service providers must ensure that the appropriate fees are being charged. Where fees are identified as being overcharged the overcharge must be reimbursed/credited to the parent/guardian.

## 5. Additional ECCE Rules

### 5.1 Qualifications

#### 5.1.1 Standard Capitation

##### i. Programme Rules, Terms & Conditions:

*‘An ELC Service provider must ensure all staff working with children hold, at a minimum, a qualification that meets the requirements of the Child Care Act 1991 (Early Years Services) Regulations 2016.’*

*‘The Approved Provider shall ensure that the pre-school leaders in ALL ELC Services participating in the ECCE Programme must, at a minimum, hold a level 6 qualification on the National Framework of Qualifications (“NFQ”) in the specialisation of early learning and care or an equivalent nationally-recognised qualification or higher award as set on the published list Early Years Recognised Qualifications, or must otherwise be deemed eligible by the Minister.’*



- **DCEDIY Rules for ECCE Programme:** 1.8; 5.1; 5.2
- **ECCE Funding Agreement:** Appendix 1, *General Terms & Conditions*, Point 11
- **Child Care Act 1991 (Early Years Services) Regulations 2016.**

##### ii. Compliance Check/s:

The VO will check that all relevant staff qualifications are on-site and that all staff hold an award included on the list of DCEDIY Early Years Recognised Qualifications, or a Letter of Eligibility to practice issued to the staff member by the DCEDIY. Assistants in standard capitation (SC) rooms/sessions may also hold a ‘Grandfathering Declaration’.

If the VO finds that the Leader in a SC session does not hold Major Award L6 or the Assistant in a SC session does not hold Major Award L5/ Grandfathering Declaration or the qualifications have not been deemed eligible by DCEDIY this may result in a moderate non-compliant outcome.

### iii. Possible non-compliant outcomes:

Compliance outcome	Compliance categorisation	Reason for outcome
Standard capitation session/s - Leader does not hold Major award L6 or qualification held is not included on DCEDIY Early Years' Recognised Qualifications list or deemed eligible by DCEDIY	Moderate non-compliant	<ul style="list-style-type: none"> <li>• Leader's qualification is not on-site at time of visit and not submitted to Pobal post visit<sup>3</sup></li> <li>• Leader does not hold an award L6 and no other staff member in session holds an award L6</li> </ul>
		<ul style="list-style-type: none"> <li>• Leader's qualification is not included on DCEDIY Early Years' Recognised Qualification list and no Letter of Eligibility has been issued.</li> </ul>
Standard capitation session/s - Assistant does not hold Major award L5 or qualification held is not included on DCEDIY Early Years' Recognised Qualifications list or deemed eligible by DCEDIY	Moderate non-compliant	<ul style="list-style-type: none"> <li>• Assistant's qualification is not on-site at time of visit and not submitted to Pobal post visit Assistant does not hold an award L5</li> <li>• Assistant's qualification is not included on DCEDIY Early Years' Recognised Qualification list and no Letter of Eligibility or 'Grandfathering Declaration' has been issued.</li> </ul>

### iv. Remedial Action required:

ELC Service provider must ensure that all ECCE staff hold appropriate qualifications and/or a Letter of Eligibility. Any qualifications not included in the DCEDIY Early Years Recognised Qualifications listing can be submitted to the DCEDIY for assessment.

#### 5.1.2 Higher Capitation

##### i. Programme Rules, Terms & Conditions:

*'ECCE Higher Capitation shall be payable to the Approved Provider....where the pre-school Leader holds a qualification recognised as meeting the contract requirements*

<sup>3</sup> If a qualification is not on-site at time of visit it can be submitted to [cvisit@pobal.ie](mailto:cvisit@pobal.ie) within 5 working days. **If the qualification is not submitted it will be deemed that qualification requirements are not being met.** In cases where there is no evidence of a minimum Level 5 qualification or Letter of Eligibility, Tusla will be informed (with the exception of Community Employment (CE) participants in training and staff with a 'grandfathering declaration').

for ECCE (“Higher Cap”), as set out on the published list Early Years Recognised Qualifications (being a full, major award in Early Childhood Education and Care, which is at a minimum, placed at Level 7 on the NFQ or equivalent, or must otherwise be deemed eligible by the Minister), and have a minimum of 3 years’ experience working in early learning and care.’

‘For compliance purposes, any documentation relevant to higher capitation for the programme year should be available for inspection. This includes staff qualifications....’

‘Service providers must supply accurate information and keep their ECCE Higher Capitation Status up to date during the programme year. The information submitted in the higher capitation application form must reflect the actual arrangement and running of the ECCE Room, in terms of child to adult ratios, the Room Leader or Room Leader / Room Assistant team working in the room, and the total numbers of ECCE and non-ECCE children in each room. Pobal must be notified of any changes to staffing and numbers of ECCE children in a room”



- **DCEDIY Rules for ECCE Programme:** Chapter 5 (with special attention given to 5.11)
- **ECCE Funding Agreement:** Appendix 1, *General Terms & Conditions*, Point 13

## ii. Compliance Check/s:

The VO will check that:

- All relevant staff qualifications are on-site and that all staff hold an award included on the list of DCEDIY Early Years’ Recognised Qualifications, or a Letter of Eligibility to practice issued to the staff member by the DCEDIY.
- Room leaders hold a minimum Level 7 award.
- Assistants hold a minimum Level 5 award. Note - assistants working in a Higher Capitation (HC) session cannot hold a ‘Grandfathering Declaration’.

The VO will also check the current staff complement against the HC application submitted to the Hive to ensure any changes to staff have been notified.

### iii. Possible non-compliant outcomes:

Compliance outcome	Compliance categorisation	Reason for outcome
Higher capitation session/s – Leader not meeting minimum qualification and/or staffing requirement/s.	Major non-compliant	<ul style="list-style-type: none"> <li>Leader’s qualification is not onsite at time of visit and not submitted to Pobal post visit*</li> <li>Leader does not hold an award L7+ and no other staff member in session holds an award L7+</li> <li>Leader’s qualification is not included on DCEDIY Early Years’ Recognised Qualification list and no Letter of Eligibility has been issued.</li> <li>Employee with L7+ qualification has been absent for more than 4 consecutive weeks and Pobal has not been notified.</li> <li>Employee with L7+ qualification has left the service without replacement and Pobal has not been notified.</li> <li>Employee with L7+ qualification only works part of the week.</li> </ul>
Higher capitation session/s - Assistant not meeting minimum qualification and/or staffing requirement/s.	Moderate non-compliant	<ul style="list-style-type: none"> <li>Assistant’s qualification is not on-site at time of visit and not submitted to Pobal post visit*</li> <li>Assistant does not hold an award L5</li> <li>Assistant’s qualification is not included on DCEDIY Early Years’ Recognised Qualification list and no Letter of Eligibility has been issued</li> <li>Assistant holds a ‘Grandfathering Declaration’</li> </ul>
Higher capitation room – Leader meets qualification requirements but amendment form for staff changes not submitted to Pobal	Minor non-compliant	Current Leader holds appropriate qualification but Leader has been replaced and Pobal has not been notified.

\*If a qualification is not on-site at time of visit it can be submitted to [cvisit@pobal.ie](mailto:cvisit@pobal.ie) within 5 working days. **If the qualification is not submitted it will be deemed that qualification requirements are not being met.** In cases where there is no evidence of a minimum Level 5 qualification or Letter of Eligibility, Tusla will be informed (with the exception of Community Employment (CE) participants in training and staff with a ‘Grandfathering Declaration’).



- HC FTE approval level may also be affected if it is identified that an approved HC session does not meet minimum staffing qualification requirements.

#### iv. Remedial Action required:

The ELC service provider must ensure that all HC staff hold appropriate qualifications and/or a Letter of Eligibility. Any changes to HC staff as outlined in the HC application must be updated on the application form on the Hive. Any qualifications not included in the DCEDIY Early Years Recognised Qualifications listing can be submitted to the DCEDIY for assessment.

### 5.1.3 Higher Capitation Full Time Equivalents (FTE)

#### i. Programme Rules, Terms & Conditions:

*'Higher Capitation is paid in respect of the number of Full-Time Equivalent (FTE) children registered to the ECCE programme in the qualifying ECCE session.'*

*'If...all sessions are higher cap sessions, the FTE will be calculated automatically according to approved ECCE registrations and/or any changes made.'*

*'If a service is a Higher Capitation partial service (a mixture of higher and standard capitation sessions), the ECCE FTE in the Higher Capitation session must be manually entered by service provider when initially submitting the Higher Capitation application.....Any change in ECCE FTE in Higher Capitation sessions during the programme call (change in days of attendance, leaver, new child starting the service etc.) will have to be updated regularly by the service provider within the Higher Capitation application in order for accurate Higher Capitation payments to be calculated and paid'.*

See the Pobal Higher Capitation Application Guide and the Higher Capitation Application Guide on the Hive.



- **DCEDIY Rules for ECCE Programme:** Chapter 5 (with special attention given to 5.4;5.9;13.11)
- **ECCE Funding Agreement:** Appendix 1, *General Terms & Conditions*, Point 12;13

The Higher Capitation (HC) FTE approved is based on the information submitted in the HC application form. If all ECCE sessions operated by a service are approved at HC, fluctuation in numbers of children in attendance do not impact the HC FTE. However, if a service is a higher capitation partial service (service operating both SC and HC ECCE sessions) the service provider should monitor the FTE enrolled and attending in the HC sessions to ensure the approved HC FTE is met on each day per week. Any variation in FTE should be updated on the application form on the Hive.

## ii. Compliance Check/s:

The VO will review registrations and attendance to ensure the approved FTE is being met in HC sessions at the time of the visit. If FTE is not being met the VO will review FTE approval for the full ECCE cycle. The difference between the approved FTE and the actual FTE in the session will determine the level of non-compliant outcome.

## iii. Possible non-compliant outcomes:

Compliance outcome	Compliance categorisation	Reason for outcome
Higher capitation room - some children not attending higher capitation room/session as approved and Pobal have not been informed	Major / Moderate / Minor non-compliant determined by the difference between the approved FTE and the actual FTE in the session.	Service is operating both SC and HC ECCE session - approved FTE is not being met in HC qualifying sessions and service have not updated HC application on Hive.

## iv. Remedial Action required:

Higher Capitation Amendments must be updated on the application form on the Hive with details of actual FTE attending HC sessions during the programme cycle.

## 5.2 AIM Level 1 Inclusion Coordinator

### i. Programme Rules, Terms & Conditions:

*‘A preschool service employing a LINC graduate can apply for additional capitation on the completion of a signed agreement by the LINC graduate that they will take on the role and responsibilities associated with the post of Inclusion Coordinator and submission of same by the preschool provider.’*

*‘A requirement of funding is that changes in the employment of the Inclusion Coordinator must be notified immediately to the Pobal AIM team. The types of changes that require notification are: Inclusion Coordinator ceases employment in the service, Inclusion Coordinator changes their employment conditions e.g. extended absence from work’.*



- **Access and Inclusion Model (AIM) Rules 2021-2022:** Chapter 4
- **ECCE Funding Agreement:** Appendix 1, *General Terms & Conditions* Point 1; Appendix 2

ii. Compliance Check/s:

The VO will check that:

- The LINC Coordinator is still employed with the service
- Changes of circumstances or extended absences have been notified to the AIM team on the Hive

iii Possible non-compliant outcomes:

Compliance outcome	Compliance categorisation	Reason for outcome
Service not meeting requirements in respect of AIM Level 1 Inclusion Coordinator	Major non-compliant	Current LINC Coordinator holds appropriate qualification but has been replaced or has been absent for more than four consecutive preschool weeks and Pobal AIM team has not been notified.

iv Remedial Action required:

Any change to the AIM Level 1 Coordinator must be updated on the application form on the Hive.

### 5.3 Minimum Enrolment

i. Programme Rules, Terms & Conditions:

*‘An ELC Provider must have a minimum enrolment number of eight ECCE-eligible children per session. Exceptions to the minimum enrolment number may be granted in some circumstances. Applications must be submitted to the City/County Childcare Committee.’*



- **DCEDIY Rules for ECCE Programme:** 4.3.6
- **ECCE Funding Agreement:** Appendix 1.8 – General Terms and Conditions

ii. Compliance Check/s:

The VO will ascertain from the number of ECCE registrations and the attendance records whether the required minimum of 8 ECCE eligible children are enrolled each day per week in each ECCE session.

If the VO finds that there are fewer than 8 ECCE-eligible children enrolled per session/per day and no CCC exemption has been granted this may result in a minor non-compliant outcome.

iii. Possible non-compliant outcomes:

Compliance outcome	Compliance categorisation	Reason for outcome
Fewer than 8 children of preschool age enrolled in ECCE session, no CCC exemption granted	Minor non-compliant	Service not meeting the minimum enrolment in each session operating on one or more days, and has not applied for/obtained an exemption to requirement.

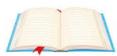
iv. Remedial Action required:

Where an exemption has not been applied for, the service provider should do so by contacting their local City/County Childcare Committee. Where an exemption has been denied the service provider should liaise with their local City/County Childcare Committee to ensure action is undertaken to meet minimum enrolment requirement. Please note application form for Minimum Enrolment is located on the Hive.

## 5.4 Staff to child ratios

i. Programme Rules, Terms & Conditions:

*'The adult to child ratio for ECCE session is 1:11 (all children in the room must be aged between 2.5 and 6 years).'*



- **DCEDIY Rules for ECCE Programme: 4.3.5**

ii. Compliance Check/s:

The VO will ascertain from the number of ECCE registrations, the attendance records and other information provided whether the adult to child ratio is met. The number of children in each session is established from the number enrolled and expected to attend each day and not the actual attendance per day.



- Where a staff member is supported through AIM funding they should not be included for the purpose of meeting adult: child ratios. See AIM funding rules.

iii. Possible non-compliant outcomes:

<b>Compliance outcome</b>	<b>Compliance categorisation</b>	<b>Reason for outcome</b>
Room does not meet staff ratio requirements of the ECCE programme	Moderate non-compliant	Where the number of children enrolled is in excess of the adult: child ratio on any or all days.

iv. Remedial Action required:

Service provider must ensure that adult to child ratios are met at all times.

## Appendix 1 – Compliance Checklist for Service Providers

### Early Childhood Care and Education (ECCE) Compliance Visits 2021/2022 COMPLIANCE CHECKLIST FOR ELC SERVICE PROVIDERS\*

\* **NOTE TO PROVIDERS:** It is the responsibility of the Service Provider to ensure compliance with their contractual requirements. This checklist is intended for information purposes only and is not exhaustive. It is essential that Service Providers are familiar with the programme information including the Funding Agreements, Programme Guides and DCEDIY Rules documentation including AIM Rules available on the Hive and DCEDIY website. The ECCE Compliance Categorisations are attached to this checklist as an Appendix. For further information please refer to the ECCE Compliance Guide for Service Providers available on the Hive.

**All Pobal compliance visits in the 2021/2022 programme cycle will be undertaken in adherence with public health guidelines during the COVID-19 pandemic. In addition, all checks undertaken will take account of any flexibility of programme rules notified to providers through announcements on PIP and the Hive.**

Please tick

Compliance Folder/File		
1	The following points are a guide as to the types of information that Visit Officers seek to review on a Compliance Visit. To minimise disruption to the Service operation, Pobal recommend that Services collate information for review on these visits in a <u>Compliance Folder/File which is readily available, on site, at all times.</u> This Folder/File should not contain any information which is not relevant to the Compliance checks as outlined below. Attendance Records and Fee Records should also be easily accessible.	Yes <input type="checkbox"/>
Tusla Registration		
2	Is the most up to date Tusla Registration Certificate available for review?	Yes <input type="checkbox"/>
Attendance Records		
3	Are there adequate attendance records on site for each session and/or room? Attendance records must be maintained and readily accessible from the start of the programme year.	Yes <input type="checkbox"/>
4	Are the attendance records (i.e. Rolls Books, Attendance Sheets) maintained and structured sufficiently to ensure easy and efficient monitoring of child attendance patterns in each session and/or room to assist identifying the Hive updating requirements? The same requirement applies <b>if</b> attendance records are maintained in electronic format. In these instances, Attendance Reports for the cycle should be maintained/easily accessible. Please see <a href="#">Good Practice Guide - Attendance Records</a> in the programme rules documentation.	Yes <input type="checkbox"/>
Hive Registrations		
5	Are all ECCE Registrations on the Hive accurate and reflective of actual levels of attendance i.e. correct start/end dates, correct session type/level of service registered?	Yes <input type="checkbox"/>
6	Have ECCE Registrations been updated on the Hive to reflect any changes since initial registration i.e. absences, leavers, changes to session type/level of service?	Yes <input type="checkbox"/>

7	Where there is an extended absence due to special circumstances, has this been approved by the CCC in line with the programme rules?	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
<b>Staff Qualifications</b>		
8	<p>Are the relevant staff qualifications* / signed Grandfathering Declarations/ DCEDIY Letters of Eligibility to Practice on file for <b>all staff</b> working in each ECCE session and/or room with ECCE children enrolled? Having these documents, which meet the relevant qualification requirements, available on site will ensure a reduced level of non-compliance in relation to staff qualifications.</p> <p><b>Note:</b> Qualifications are checked against the DCEDIY Early Years Recognised Qualifications list available on the DCEDIY website. Qualifications must be in English or Irish, any documents not originally in English or Irish must be accompanied with a translation to English or Irish. Certified translations only can be accepted.</p> <p>*Where a Qualification is not on the DCEDIY Early Years Recognised Qualifications list, the individual must apply to the DCEDIY for recognition. See <a href="http://www.gov.ie/dcediy">www.gov.ie/dcediy</a> for more information.</p>	Yes <input type="checkbox"/>
9	<p>Do all ECCE (Standard Capitation) room leaders hold at least a QQI level 6 qualification?</p> <p>Do all ECCE (Higher Capitation) room leaders hold at least a QQI level 7 qualification?</p> <p>Do all ECCE room assistants hold a minimum QQI level 5 qualification?</p>	<p>Yes <input type="checkbox"/></p> <p>Yes <input type="checkbox"/></p> <p>Yes <input type="checkbox"/></p>
<b>Higher Capitation</b>		
10	If the FTE in higher capitation partial services has changed during the year, has the ECCE Higher Capitation Application been updated on the Hive?	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
11	If higher capitation approved session staff have left and/or been replaced during the year, has the ECCE Higher Capitation Application been updated on the Hive?	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
12	Are there staff attendance records on site which show dates of non-attendance of higher capitation staff and the reasons for non-attendance?	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
<b>AIM Level 1 Inclusion Coordinator</b>		
13	Have any changes of circumstances in the employment of the Inclusion Co-ordinator or extended absence of four or more consecutive preschool weeks been notified to the Pobal AIM team via the Hive?	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
<b>Hive Parental Declaration Forms</b>		
14	Are Parental Declaration forms for all registrations (including amendments during the year) printed, signed by parents/guardians and on file?	Yes <input type="checkbox"/>
15	In the interest of GDPR, has the service disposed of, in an appropriate manner, all documentation that contains PPS Numbers?	Yes <input type="checkbox"/>
<b>Fee Records</b>		
16	Are adequate fee records accessible for the Visit Officer to verify fees/eligible optional extras charged in line with the Hive Fees List? If direct debit is applicable, access to records must be available on site (this can be online access).	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
<b>Minimum Enrolment</b>		

17	Has a Minimum Enrolment Exemption been applied for, through the relevant CCC, for <b>each ECCE session and/or room</b> which does not meet the requirement of 8 ECCE eligible children enrolled on a daily basis? A copy of the approved exemption notification must be available for review during a compliance visit (electronically or paper based).	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
<b>Hive Fees List, Parent Fee Letters and Service Calendars</b>		
18	Does the Hive Fees List comply with programme requirements and accurately reflect actual fees charged for the types of provision that the service operates?	Yes <input type="checkbox"/>
19	Are Hive generated Service Fees Information Letters i.e. Parent Fees Letters for all registrations printed, each page initialled/signed by parents/guardians and on file?	Yes <input type="checkbox"/>
20	Is the most up to date Hive generated Fees List, Service Fees Information Letter (i.e. Parent Fees Letter) and Service Calendar displayed both in the service in a location easily accessible to all parents and on any online platform maintained by the provider for the purpose of advertising its services?  <b>Note:</b> Please remember to ensure your Hive generated service calendar is in line with any further closure dates that occur throughout the year. In the event of closures for force majeure / exceptional circumstances please retain evidence of notification email in line with the programme rules.	Yes <input type="checkbox"/>
21	<b>COVID-19 related closures:</b> Is evidence onsite of any TUSLA/HSE directions to close as a result of COVID-19 outbreak (if applicable)?	Yes <input type="checkbox"/> N/A <input type="checkbox"/>

## Appendix 2 – Compliance Categorisations

CATEGORISATION	ECCE
ECCE Compliant	Service is meeting all programme requirements based on sample records checked on site
ECCE Minor Non-Compliant	<p>Service is not displaying the most up to date Fees List and/or Calendar</p> <p>Fewer than 8 children of pre-school age enrolled in ECCE session, no CCC exemption granted</p> <p>Registration/s deemed incorrect and Hive updating required</p> <p>Registration/s incorrect with regard to facility child/ren is attending</p> <p>Signed Service Fees Information Letters (parent fees letters) not on file for more than 10% children reviewed</p> <p>Fees List does not comply with programme requirements</p> <p>Fee records available but some gaps/inadequacies identified</p> <p>Higher capitation <b>partial</b> - some children not attending higher capitation room/session as approved and Pobal have not been informed</p> <p>The room/session is not led by a person with the minimum Room Leader staff qualification, but the higher qualified individual is in the room/session as an assistant</p> <p>Higher capitation room/session – Leader meets qualification requirements but higher capitation application not updated on the Hive</p> <p>Other</p>
ECCE Moderate Non-Compliant	<p>Service provision is not delivering sufficient free hours/days/weeks</p> <p>Attendance records available but some gaps/inadequacies identified</p> <p>Signed Hive Parent Declaration Forms not on file for more than 10% children reviewed</p> <p>Registration/s deemed incorrect and Hive updating required</p> <p>Registration/s incorrect with regard to facility child/ren is attending</p> <p>Records in relation to fees not available on site</p>

	Fee records not adequate to allow compliance to be checked
	Fees charged are in excess of Registered Fees List amounts
	Charge for inappropriate optional extras
	Room does not meet staff ratio requirements of the ECCE programme
	Higher capitation room/session - some children not attending higher capitation room/session as approved and Pobal have not been informed
	Standard capitation room/session - Leader does not hold Major award L6 or qualification held is not included on DCEDIY Early Years Recognised Qualifications list or deemed eligible by DCEDIY
	Standard capitation room/session - Assistant does not hold Major award L5 or qualification held is not included on DCEDIY Early Years Recognised Qualifications list or deemed eligible by DCEDIY
	Higher capitation room/session - Assistant not meeting minimum qualification and/or staffing requirement/s
	Other
ECCE Major Non-Compliant	The service is not in operation on day of visit
	Admittance declined
	Admittance gained but no records available for inspection
	Records in relation to attendance not available on site
	Attendance records not adequate
	Service provision is not delivering sufficient free hours/days/weeks
	Registration/s deemed incorrect and Hive updating required
	Registration/s incorrect with regard to facility child/ren is attending
	Higher capitation room/session - some children not attending higher capitation room/session as approved and Pobal have not been informed
	Higher capitation room/session - Leader not meeting minimum qualification and/or staffing requirement/s
	Service not meeting requirements in respect of AIM Level 1 Inclusion Coordinator
	Other