



Do Our Pre-School Regulations Result in High Quality Provision?

*Article written by Heino Schonfeld, Director,
Centre for Early Childhood Development and Education (CECDE)*

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A year ago I wrote in this newspaper: “...the pre-school regulations focus almost entirely on health and safety issues and don’t consider the most important areas of child development and early learning.” I anticipated then “that there will be a somewhat stronger emphasis on the developmental needs of young children in the revised Regulations.”

Shortly after that the new and revised *Child Care (Pre-School Services) (No 2) Regulations 2006* were published to come into effect in January 2007. Subsequently, the commencement date was delayed to September 3rd 2007 to allow childcare providers and also inspection teams sufficient time to prepare for implementation.

The new Regulations are not radically different from the previous ones but – as expected - there is now a stronger emphasis on the needs of the child. Article 5 of the revised Regulation now states that “*a person carrying on a pre-school service shall ensure that each child’s learning, development and well-being is facilitated within the daily life of the service through the provision of the appropriate opportunities, experiences, activities, interaction, materials and equipment, having regard to the age and stage of development of the child and the child’s cultural context.*”

This requirement at the very beginning of the Regulations provides a welcome challenge for providers and inspectors alike. Clearly, services will require well-trained and qualified staff to comply with this particular article: workers should have a very good understanding of child development, know how young children learn and have knowledge and skills in providing the “appropriate opportunities, experiences, activities, interaction, materials and equipment” to facilitate “each child’s learning, development and well-being”. It is disappointing therefore that the new Regulations again don’t require **any** training or qualification of childcare providers, managers or staff. However, the “Explanatory Guide” published together with the Regulations acknowledges the importance of training and advises that “*in centre-based services, it is considered that the person in charge should aim to have at least fifty percent of childcare staff with a qualification appropriate to the care*

and development of children. The qualified staff should rotate between age groupings.” This guidance is rather timid as it still avoids saying what “appropriate” means in this context and considers up to fifty percent unqualified staff in a childcare centre as satisfactory. The deliberate absence of any requirement for a minimum qualification does not represent good practice if compared to most other OECD countries. Most other developed countries insist on a minimum level of staff qualification particularly in settings supported by public money. The Government is committed to develop a national childcare training strategy and has established a high level inter-departmental expert group to advise on this matter. This group has begun its work and will soon enter into a public consultation with all interested parties.

The new revised Regulations still do not cover ‘childminders’ in their own home who care for three children or less. To extend the Regulations to this very large group of providers would require a change of primary legislation. From a child-centred perspective there is of course no valid reason to exclude this group of children from state regulation and protection.

The Health Services Executive (HSE) is statutorily responsible to implement the *Child Care (Pre-School Services) (No 2) Regulations 2006* and carry out inspection following notification by providers. In response to public demand the HSE will publish inspection reports on the web from September 2007. A national management structure has been established and much work has been completed to provide not just for standardised reporting but also for a more effective and consistent system of inspection across the country.

Considerable progress has also been made to address the issue of the vetting of all childcare and early education staff. The new regulations require in Article 8 that “*A person carrying on a pre-school service shall ensure appropriate vetting of all staff, students and volunteers who have access to a child*”. The Gardai are now fully resourced by Government to provide the necessary service and are working closely with the National Voluntary Childcare Organisations to put in place effective protocols. It is important to remember, though, that Garda vetting will only identify those who have a

criminal conviction, a very small number of potential offenders. The most fundamental and effective protection of young children remains good practice and high quality provision.

There is now overwhelming research evidence that desirable child outcomes are directly related to the quality of early years provision. As far back as 1999 the Government White Paper on Early Childhood Education, *Ready to Learn*, stated that “...*the benefits of early childhood education accrue only where interventions are of sufficiently high quality.*” However, the Organisation for Economic Cooperation and Development (OECD) in its report on Ireland (2004) pointed out that “*the regulatory framework in place in Ireland seems weak in comparison to other countries. It is basically a license to practice, but does not include sufficient incentives to train, employ qualified staff or continually improve expertise. Other countries regulate more stringently or, like Australia, introduce voluntary quality improvement and accreditation schemes.*”

The revised *Child Care (Pre-School Services) (No 2) Regulations 2006* provide for very basic minimum standards but don't assure the programme quality of early years services. Just like a restaurant may well comply with all regulations but still serve very poor quality food. To address the need for a more comprehensive quality assurance programme, the Government asked the Centre for Early Childhood Development and Education (CECDE) to develop a national quality framework for early childhood education. This framework has since been published and is called *Síolta*, the Irish word for seeds (www.siolta.ie).

The social partners agreed in the latest national partnership agreement ‘*Towards 2016*’ to provide “*education related professional support and training to existing providers, together with a curriculum and quality framework for early childhood education.*” Most recently a ‘*Value for Money Review of the Equal Opportunities Childcare Programme*’ (2007) (<http://omc.fusio.net/documents/publications/VFMReviewFinal.pdf>)

recommended for the new National Childcare Investment Programme (NCIP) that *“the adoption of the principles and standards within Siolta by NCIP supported services should be formally encouraged within the criteria for the programme, with consideration being given to setting resources aside to facilitate the development of provision in this regard.”*

Much has been achieved in the preceding year and these strong commitments and recommendations together with the great enthusiasm of providers and practitioners have created confidence in our ability to improve the quality of services to young children and their families.