

# DÁIL ÉIREANN

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## AN COMHCHOISTE UM SHLÁINTE AGUS LEANAÍ

## JOINT COMMITTEE ON HEALTH AND CHILDREN

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*Déardaoin, 20 Feabhra 2014*

*Thursday, 20 February 2014*

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The Joint Committee met at 9.30 a.m.

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### MEMBERS PRESENT:

Deputy Catherine Byrne,	Senator Colm Burke,
Deputy Ciara Conway,	Senator John Crown,
Deputy Regina Doherty,	Senator John Gilroy,
Deputy Robert Dowds,	Senator Imelda Henry,
Deputy Peter Fitzpatrick,	Senator Jillian van Turnhout.
Deputy Seamus Healy,	
Deputy Sandra McLellan,	
Deputy Robert Troy,	

In attendance: Deputies Pádraig Mac Lochlainn and Charlie McConalogue.

DEPUTY JERRY BUTTIMER IN THE CHAIR.

*The joint committee met in private session until 9.45 a.m.*

### **Child Care in Ireland: Discussion**

**Chairman:** I remind members and those in the gallery that mobile phones should be off or on airplane mode as they interfere with broadcasting of proceedings and cause distress to members of staff. The purpose of the meeting is to discuss issues concerning child care in Ireland and the recent report on support for child care for working families and its implications for employment. Our meeting will take place over two sessions, with the Minister for Children and Youth Affairs, Deputy Frances Fitzgerald, joining us for the second session. I welcome Ms Avril McMonagle from Donegal County Childcare Committee Limited, Mr. Alan Gray of Indecon, and Ms Ciairín de Buis and Mr. Toby Wolfe from Start Strong.

By virtue of section 17(2)(l) of the Defamation Act 2009, witnesses are protected by absolute privilege in respect of the evidence you are to give this committee. If you are directed by the committee to cease giving evidence in relation to a particular matter and you continue to do so, you are entitled thereafter only to a qualified privilege in respect of your evidence. You are directed that only evidence connected with the subject matter of these proceedings is to be given and you are asked to respect the parliamentary practice to the effect that, where possible, you should not criticise nor make charges against any person(s) or entity by name or in such a way as to make him, her or it identifiable. I invite Ms McMonagle to make her opening remarks.

**Ms Avril McMonagle:** It is a pleasure to bring this report on child care supports for working families to the committee on behalf of Donegal County Childcare Committee. I thank the Chairman and the committee for the invitation to share the main findings of the report. I will outline the rationale behind our work and what we hope to achieve. Following this, Mr. Alan Gray, from Indecon International Economic Consultancy Group, will take members through a summary of the economic analysis and key proposals.

Early last year, we set about commissioning this research as an independent examination of whether the cost of child care represents a barrier to families with young children to take up, or to remain in, employment. A noteworthy feature of current child care funding policy is the absence of any child care support for low-income working families who do not avail of the community child care subvention scheme. As part of our work in Donegal County Childcare Committee, we frequently speak to parents who, on having their second child, are forced to leave work if their income is marginally above the band for the family income supplement. As demonstrated in the report, an annual cost of full-time child care for two children of €16,500 is simply inaccessible for a high percentage of working families.

The consequence is that mothers, and it usually is mothers, then join the statistics of the unemployed with child dependents mentioned in the report. It has been shown that these people will be more likely to remain unemployed and will have a lower probability of exiting the live register. In this sense, the cost of child care reinforces Ireland's especially poor record of consistent long-term unemployment. Child care in Ireland is the second most expensive in OECD countries but we have known this for quite some time. This was the key driver of undertaking this work. Despite almost universal agreement on the issue and many reports on what quality child care should look like, until now, a formal analysis or support proposal on the affordability of child care has not been forthcoming.

In developing the research proposal for this work early last year, we did not want to set this only in the context of the cost of child care. We are aware that child care is a labour intensive service because of adult-child ratios. When developing the research proposal for this work early last year, we were interested in setting it in the context, not so much of the cost of child care, but of parents' ability to afford child care against average earnings and to suggest realistic solutions to this long-standing problem. We are pleased that this report does exactly that. The report proposes a number of policy initiatives to reduce barriers to employment and, as a result of a detailed cost-benefit analysis, positive economic benefits are demonstrated.

Access to quality, affordable child care has major positive impacts on a child's future educational and life chances. This is, by now, a well-accepted argument. As we continue to strive towards this important objective, which as locally-based city and county child care committees we do on a practical and realistic level in our work every day, there is a real danger that we will set far too high an expectation of what centre-based child care can realistically achieve in isolation from other contributing factors.

We need to be highly cognisant of connecting factors in the child's life - the critical importance of the family environment – welfare dependency, mental health issues and child poverty. The preschool year is a relatively small, albeit important, part of the influences which have been experienced by the child in that year, much less in the child's entire life. The forthcoming evaluation of the national early years access initiative will be very useful in our understanding of this area. Unless we are able to see both quality child care and family support as inseparable, success may prove much too tall an order for either in isolation.

It would be fair to acknowledge that significant public expenditure is incurred annually to support child care arrangements; many positive advances have been made in recent years and we are definitely moving in the right direction in the midst of a very difficult financial climate. Therefore, at this time, outside the universal free preschool year, it is essential that such limited expenditure is targeted on those most in need and as a mechanism that will enable parents to take up employment as the economy improves.

Of those that stated child care arrangements had prevented them from looking for a job, over 56% were in the lowest income groups. Thus, the research finds that child care costs disproportionately affect low-income families in looking for employment. These statistics represent a huge portion of our society now and simply cannot be ignored.

Currently, the only measurable quality indicators in place are the Child Care (Pre-School Services) Regulations and the standards therein. In keeping with this, we have proposed that only child care providers registered with the Child and Family Agency should be able to avail of these proposals.

We have also built in a number of measures that ultimately improve the quality of service to children and families. The first is requiring that all child care service providers must be tax compliant, which is primarily aimed at bringing non-regulated paid childminders into the regulated system. By bringing non-regulated childminders under the State's regulation framework, not only is the size of the shadow economy reduced in this area, child protection measures and a more standardised quality of service to children are provided.

Second, by proposing that we open the current community child care subvention programme to all child care service providers we would eliminate the two-tier system currently in operation. This is where children of low-income families have to access community child care ser-

vices to avail of subvented rates, leading to the segregation of children into one service type. In addition, accessibility to community child care services and therefore subvented rates is largely dependent on where one lives. For example, Letterkenny, with a population of over 20,000 people, is served by one community full day-care service. One does not have to do the sums to realise that for a low-income family living in Letterkenny the chances of getting subvented child care are nil.

In summary, quality early childhood care and education will enable children to achieve their life and educational potential and reduce the need for later interventions. However, whether we like it or not, child care is also fundamental to economic policy and is a service that underpins economic development and growth. With the development of appropriate, timely and responsive child care policy, we believe both objectives can be achieved without one necessarily compromising the other.

In the forthcoming national early years strategy, we will have a clear plan to progressively raise quality standards and increase investment in child care. To complement this, we have brought here today a fully-costed proposal that offers viable alternatives to barriers to remaining in, or taking up employment, as a result of the cost of child care. We hope the report will inform change in child care funding policy by highlighting where potential adjustments are required to current State-funded child care supports. By concentrating limited Exchequer funding on those with the greatest need, a long-established cycle of unemployment and deprivation could be broken. That would represent a major social achievement for us all.

I hand over to Mr. Alan Grey who will give a summary of the research findings and proposals.

**Mr. Alan Grey:** As an independent economist I am very happy to go through the evidence in our study. The study focuses on whether child care represents a barrier to employment. The levels of unemployment in Ireland represent a horrific burden on those who are involuntarily unemployed. A particular concern is the high level of long-term unemployment. Any measures which address long-term unemployment, or barriers to taking up employment, will benefit individual families and children and reduce the key underlying cause of poverty in Ireland. In that context an issue is whether child care costs are an inhibiting factor in addressing unemployment.

I would like the committee to consider the danger of policies being considered in a piecemeal way, for example, employment policies that do not consider the impact on children or poverty, or child care policy that does not consider the impact on employment. A linked, integrated policy assessment is needed. Sometimes people consider measures to overcome the child care barriers to employment as existing only in the child care development space. The Government is spending €1.5 billion per annum on active labour market policies so there are significant funds potentially available but very few going into measures to assist families with child care costs where they are a barrier to employment. There are over 400,000 households with children under 10 years of age and over 260,000 with children under five.

Until now there was a strong focus on the average weekly spend on paid preschool child care, which is approximately €133 a week. That is influenced by the fact that many families pay for only very few hours and does not represent the costs faced by families trying to look after children if they wish to obtain full-time employment. More relevant are the new costs that the Indecon analysis identified, the cost of full-time paid child care. The average annual cost for two children in full-time paid child care in Ireland is over €16,000. That is not surprising given

the nature of the service provided but if one compares that to the average industrial wage, unless there is State investment to help low income families, they will not be able to take up jobs. As an economist I believe one of the key issues is whether child care costs are an inhibitor to employment in households with the greatest need, with a long cycle of unemployment and economic and social deprivation. The evidence confirms that child care costs represent a barrier to unemployment. A total of 21% of families indicated the cost restricted the hours they worked and 26% indicated it prevented them looking for a job or made them turn down a job. They are frightening figures in a policy context. The evidence demonstrates that child care costs are a very high percentage of average wages. In the middle to higher income groups there is not such a problem, but if a person is in a lower income group or on the average industrial wage, the average cost of full-time child care is 45% of average wages, which families simply cannot afford. This explains why there is a much lower exit rate from the live register, or unemployment, for families with children; the rate is approximately double the level for others. The potential impact of an appropriate incentive would very likely be to increase participation in employment.

On targeting incentives, it is clear from evidence that the cost of child care is a barrier to employment - there is no point in pretending otherwise - particularly for low income families. We have considered three measures to address this issue. One is an incentive for those in long-term unemployment to cover 67% of child-care costs, the same level for families lucky enough to get onto the community child care subvention scheme. If these schemes are unavailable, a person, basically, gets nothing. For working families with children eligible for a medical card, we believe 50% of child care costs should be provided for, as these are low income families. For those who just breach the threshold for the family income support scheme, there should be a tax break. We propose a tax incentive equal to 40% of child care costs for working families. It would only be for those earning at or below the industrial wage, as the State cannot afford to subsidise other families through a tax incentive. We undertook a very detailed cost-benefit appraisal and indicated to the Donegal child care committee that we did not know what would the results be, although the report would show if it was justified. The analysis is based on standard Department of Public Expenditure and Reform guidelines, demonstrating a positive cost-benefit for the economy and State if such an incentive was introduced.

There is considerable evidence that cognitive abilities are greatly influenced at an early age. The US Nobel prize winner, Kenneth Arrow, in a book he wrote with me on various economic issues, points out that this is a key factor. For families who are involuntarily unemployed, there is a significant impact on child care development. The proposals outlined are economically justified. We are very rigorous economists and spend much time pointing to areas where public expenditure is not justified, but in this case, it would be. This would help families to move from poverty into employment. This is not an alternative proposal to other measures, as a range of other policy initiatives are also required to assist unemployed or low income families with children in order to support child development and remove the vicious circle of intergenerational poverty. They include measures to stimulate employment in the economy aligned with the skill base of the unemployed. These are measures to improve literacy, support families struggling with mortgages or living in deficient housing, as well as to support education and a universal second year child care provision.

**Chairman:** I thank Ms McMonagle and Mr. Gray. Ciairín de Buis, on behalf of Start Strong, is next.

**Ms Ciairín de Buis:** I thank the joint committee for giving me the opportunity to discuss the very crucial issues around affordability and quality in children's early care and education.

Most members are families with Start Strong, but for those who are not, it is a coalition of organisations, with approximately 50 in the group, seeking to advance children's early care and education. We work from a children's rights perspective.

Young children are the politicians, farmers, teachers, carers, doctors, builders, artists, economists, nurses and entrepreneurs of the future. They are our most precious natural resource and their future rests with us. We owe it to them to give them the very best possible start in life, which is why we need to look at the issue through the lens of children's education and what will provide the best outcomes for children. Children's early years are a crucial time and it is that early educational experience that has most impact on their learning throughout their lives. Quality early care and education give children the learning experience they will carry through their lives, laying the foundations for lifelong learning. It is much more than glorified babysitting or minding children, as it is part of the start of education.

There is a strong economic argument for public expenditure in early childhood that rests on its benefits for children. Longitudinal studies have shown that high quality services for young children can bring significant benefits for children's welfare, development, educational attainment and a range of long-term outcomes. It is an investment that makes sense; in addition to it being the right thing to do, it is an economically sound investment with strong returns. Despite the importance of early education and strong returns on such an economic investment, Ireland does not have a history of investing a major amount of public money in it. The cost of early education has been correctly highlighted by the Donegal committee and it is largely met by parents. Often the costs are unattainable and like a second mortgage or even in excess of a mortgage. They can be unaffordable and often lead to parents having to make a Hobson's choice not to work because they cannot afford to do so. According to the OECD, Ireland invests only 0.4% of GDP annually in child care and early education services compared with an OECD average of 0.7%. To just reach average OECD expenditure, the Government would need to invest an additional €450 million a year in children's early care and education. We would have to invest the same amount again to reach the 1% of GDP benchmark recognised as the level of annual investment required to achieve high quality early education.

I have mentioned that research has demonstrated the significant impact of early learning and its effect on a child's life. There have been two significant findings of this research. The first relates to the long-term impact and how early education affects how we, in turn, do in school, whether we go to third level and, ultimately, our work life and the types of career we have. A second key finding is that early education only has this impact when it is of high quality. Poor quality care means that not only do children not benefit but that they can also be harmed by these experiences. The most effective way to ensure services are of good quality is for the Government to invest money directly into services rather than channelling it through tax breaks. Greater direct investment in services would ensure there would be control of quality, equitable access, training and the co-ordination of services. Where there is "demand-side" funding such as tax-free allowances, in the likes of the United Kingdom, the United States and Canada, they are judged to have lower quality services, as can be seen in the UNICEF league table. Ironically, the services tend to be less affordable for parents, as indicated by the OECD in its examination of child care and early education costs.

We have a huge challenge ahead of us if we are to provide high quality early care and education services which are accessible to and affordable for everybody. The free preschool year is great and has significantly improved access, with 94% in the age cohort accessing it. However, it lasts for 38 weeks and is available for only one year before school entry. Some children do

not get to avail of it until they are four or almost four. The other two schemes, the community child care subvention scheme and the child care education and training support, CETS, scheme, assist many families but they are not available everywhere, and many families who need financial support are not eligible.

We very much welcome the fact that the Minister for Children and Youth Affairs has said there will be a review of these two schemes. We in Start Strong believe that the review should be much broader than focusing exclusively on these two schemes. It needs to look at affordability and quality, and how we can ensure that quality and affordability are the two sides of the one coin. We need to ensure that all children, regardless of where they live or how much their parents earn, can access high-quality early care and education services that will give them the best start in life.

We know there is good practice and there are high quality services in Ireland. We also know there are examples of really poor practice, and that poor practice can result in children suffering harm. I am conscious that later this morning the committee will look at the “Prime Time” investigation, “A Breach of Trust,” six months on. The programme focused on three privately operated full-day crèches. It made clear that the causes and the risks were systemic. At the same time, it showed that public funds have gone into services where quality standards are low or questionable, including through the free preschool year. We need to make sure that no child is in a low-quality early care and education service. We cannot stand over a situation where public money is going to services that are of poor quality. Recently, steps have been taken to ensure improvements in quality, including legislating for minimum qualifications in the workforce, increasing the sanctions for non-compliance, putting inspection reports online, and moving to establish a national quality support service. However, they are just first steps in tackling the scale of the issue we face.

We must significantly add to the public investment that has been made. In particular, we must support the professionalisation of the workforce. Professionalisation is critical because the research evidence shows that high quality adult-child interactions are most consistently found where those working with children are highly qualified and where wages are sufficiently high to ensure there is not a high staff turnover and to reward staff for the investment they make. If we think back to our school days, most of us can probably remember one teacher that stood out, who was there for us, pushed us, challenged us and tried to ensure we did the best we could. We need to make sure that the same type of person works in the early care and education services. It is difficult to do that within a model in which those employed in the area, including those with graduate qualifications, quite often earn little more than the minimum wage, are on short-term contracts and are often released during the summer months when funding for the free preschool year has been stopped. It is no wonder staff can often be stressed and unsupported. It is essential when considering affordability that we do not keep building on this system. We need to take a much broader look at affordability and quality. We need to use public funding and public investment as a lever in terms of achieving high quality. When the free preschool year was introduced, some limited steps were taken in that regard. For example, there is a higher capitation grant for services that employ qualified graduates, and contractual requirements that participating services would have minimum standards in staff qualifications. Those were significant steps, but they are limited in the sense that there is an entire world of early care and education outside of the free preschool year. The Government must do more.

We very much welcome the ongoing political commitment to maintain the free preschool year and, ultimately, to extend its scope to a second free preschool year, subject to quality stan-

dards being met. Outside of that, we need to ensure that parents can access high-quality services and avail of flexible work solutions so that they can find an affordable solution that works for their families - including unemployed families - and not just those in low-paid employment. That means public investment beyond what is currently available.

A fantastic opportunity is presented in terms of the committee focusing on children's early care and education. What we need to bear in mind is that the early years are a crucial time. They lay the foundations for lifelong learning. Despite the long-term economic returns, we do not have huge public investment in early care and education. We need to ensure that quality is critical. If we do not build quality into the system we will not have the economic returns and children will not have huge impacts in terms of their life chances. It will be a case of building on the existing model. The international evidence suggests the most effective way to ensure both quality and access is through supply-side universal funding schemes of the type seen in the free preschool year. We need to review affordability. The fact that the schemes are being reviewed is very welcome but we need to have a much broader review of affordability and we need to ensure that quality is a critical and crucial aspect of the system. We need to move to a situation in which we have increased quality so that we can move to a second free preschool year and there is further investment to ensure income is not a barrier to children accessing high-quality early care and education services.

**Chairman:** I thank both witnesses for their informative and enlightening presentations. I am conscious that we will be over time in this session so I urge members to be brief with their questions rather than making statements. I welcome the Minister, who has been in the gallery since the beginning of the meeting. She will remain after this session ends. I will allow three minutes to each member.

**Deputy Robert Troy:** I thank the Chair. I will be as brief as possible but, to be fair, this is an opportunity for the committee to ask questions and to make valuable use of the experts who are with us this morning to discuss an important issue that faces so many families around the country. I compliment the Donegal County Childcare Committee on the work it has done in producing the report which helps feed into this important debate. No one in this room is not supportive of high-quality early childhood care and education. We are all united in that regard. We will talk about the RTE "Prime Time" programme later. Early childhood care and education is a fundamental component of our education system. High-quality child care and education should not be incompatible with affordability. Parents must be able to make the choice based on what they feel is best for their children and circumstances rather than on affordability. We should support people who want a family and a career. We should recognise that in some cases parents want to stay at home with their children. Affordability and quality are not incompatible.

Ms de Buis highlighted quality in particular. If she were designing a scheme, what mechanisms would she build in to ensure a high-quality service? We all support the concept of free early childhood care and education for everyone. That would be utopia. As an Opposition party it would be easy for us to call on the Government to do that, but we must be realistic about the country's financial constraints. With that in mind, we must consider a targeted approach. Mr. Gray and Ms McMonagle could confirm whether that is the rationale behind their position. Will Mr. Gray outline for us at what level the tax break would come into play and the ceiling at which people would benefit from it? Will he quantify the number of people who will qualify for the tax break? What additional quality control and inspection measures will need to be introduced to ensure we have the quality child care we require?

The current funding schemes are segregational and it depends on where one is in the country

whether one can avail of them. What would the overall cost be to the State of implementing the proposals recommended here today? How many people would benefit from these recommendations?

**Deputy Sandra McLellan:** I want to apologise on behalf of Deputy Ó Caoláin who cannot attend today. I welcome the members of the Donegal County Childcare Committee and commend them on commissioning this report, which is a valuable contribution to our deliberations. I also welcome the members of Start Strong who are here. We are very impressed by the work of both groups.

The Sinn Féin approach to the child care issue would be more similar to that of Start Strong in that we favour a universal approach. Support for the first year is sacrosanct and should be maintained. We would also prefer the second year to be universal, but we are mindful that there are budget constraints. Therefore, as it is unlikely we will have universal care for the second year, we see merit in a targeted approach for deprived communities and families.

I have a number of comments or questions on the presentations made today. The Donegal County Childcare Committee members stated that a noteworthy feature of current child care funding policy is the absence of any child care support for low-income working families who do not avail of the community child care subvention scheme. Why do they not avail of it? The cost of child care in Ireland is the second most expensive of the OECD countries. Why is this the case and what is the solution? Can the witnesses give us some examples of best practice in other countries? The requirement that all child care service providers be tax compliant is primarily aimed at bringing non-regulated paid childminders into the regulatory system. However, the majority of child care is provided by family members. How do the witnesses see this area being regulated for the future?

Start Strong delegates made the point that according to the OECD, Ireland invests only 0.4% of GDP annually in child care and early education services, compared to the OECD average of 0.7% of GDP. Is this the major problem? Internationally, 1% of GDP is the recognised benchmark for the level of annual investment required to achieve high quality early education. If this was to happen here, how would it benefit children, child care providers or parents? The free preschool year, with a 94% take-up, has significantly improved access, proving the fact that free child care works. Therefore, should it not be expanded to a second year?

We welcome the fact the Minister for Children and Youth Affairs has announced there is to be a review of these two schemes. On what should this review focus? Despite the high cost of early care and education to parents here, the wages paid to those working in the sector are low. Where does the money go and are huge profits being made? Are child care profits not being reinvested in child care? The Government could, and should, do more to lever quality improvements to the conditions attached to public funding. Can we have some examples of how this could be done?

**Senator Jillian van Turnhout:** I extend a welcome to Donegal County Childcare Committee and Start Strong. I wish to declare that I am chair of Early Childhood Ireland. However, my role is a governance role and I do not get involved in the policy of the organisation.

I welcome the opportunity to discuss child care and its provision. Mr. Gray said earlier that one of the key questions to be asked is whether child care represents a barrier to employment. Would we ever ask the question whether sending a child to primary school is a barrier to employment? We would not ask that question. Therefore, I was a bit hesitant about the report,

because I wonder whether these issues would not be better discussed by the Joint Committee on Education and Social Protection, because they are core issues. I agree with Mr. Gray on the need for the restructuring of FIS and with the call for labour market activation measures.

I feel I have been on a journey on the issue of child care. When I first got involved in children's rights, it was all about the status of the mother and whether she was working or not. This determined whether children would be sent to child care. The introduction of the free preschool year provided an impetus that allowed us to move the spotlight from the adult to the child and we all realised the importance and value of child care and the development of the child. As a result, whether the mother is working or not is no longer the focus. However, it is an important focus in the report in regard to labour market activation. If we are looking at child care, however, we must focus on the child.

Issues have been raised in regard to affordability, accessibility and quality and how we get them all to fit together. We must ask serious questions about our investment in child care. As I asked already, would we ever ask whether primary school was a barrier to employment? Ms McMonagle spoke very well on this issue on Newstalk this morning and the debate was very interesting, but when I hear the discussion focus on costs, parents and taxation, the child appears to be forgotten. I recognise the work of Donegal County Childcare Committee is outstanding, but I am a little hesitant to support the report here, because I feel it might be better suited to the Joint Committee on Education and Social Protection.

What was the impetus for the report? Was it initiated because parents were not able to access child care places and is it to do with demand and supply? What were the terms of reference of the report? Mr. Gray said he went into the report without knowing what it was going to produce. However, a report normally has a starting point and I am interested in knowing what that was.

The committee here has also had representations from professionals in the sector in regard to salary levels. If we look at the salary level of a professional in the sector versus the salary level of a primary school teacher, that to me indicates the value we put on child care.

**Deputy Ciara Conway:** I thank the witnesses for coming in this morning and apologise for having to run out for a while; I had to deal with a child care issue. It is mid-term break, which poses a difficulty for working parents. Please excuse me for nipping out.

The issue of child minders has not arisen so far, but I would like to tease out this issue further. The report commissioned by Donegal County Childcare Committee mentioned Leterkenny and families not being able to access subsidised places because the subsidy only goes to community based child care centres. Is one of the recommendations therefore that we should roll out those incentives to child minders? Start Strong has been quite strong on the issue of registration, but currently registration is voluntary. Currently, childminders who voluntarily register are allowed to earn €15,000 tax-free and can make a PRSI contribution, which is very important in terms of claiming a State pension when they are older. Do the witnesses have any views on the implementation of a mandatory registration scheme for childminders? In my constituency of Waterford, parents are facing difficulties in accessing community child care places and childminders are the preferred option for many. Indeed, it is my own preferred option as a parent. How can we use the infrastructure that is already in place to meet the needs of parents who want to go back to work or education? How can the State support such parents?

Often when we talk about child care, people automatically think about centre-based child

care but that is not the most common form of service provision across the country. Centre-based child care also requires enormous capital investment. In Australia, child minding is called home-based day care. The city and county child care committees all over the country have done an incredible amount of work with childminders in terms of professionalising, supporting and educating them to ensure that the children in their care have a high quality experience. That is extremely important because all parents love their children and want them to have the best possible start in life. It is difficult for parents who have to make the decision to hand their beloved over to others to be cared for and they want to be sure that their children are safe and well looked after. I ask the witnesses to give their views on the potential of child minding to assist parents who wish to re-enter the workforce. How can it be regulated and what would the benefits of doing that be?

**Deputy Pádraig Mac Lochlainn:** I thank the Chairman for giving me the opportunity to speak here today. I am very familiar with the work of the Donegal County Childcare Committee, as is my colleague, Deputy McConalogue. We are very fortunate to have members on that committee of such professionalism and capacity to assist us with addressing child care issues as they arise in the county. Regarding the report before us, I ask the witnesses to give us their perspective on the Scandinavian model of child care. I have been told that the Scandinavian child care model is the gold-standard, as is the case with many areas of social policy. Could we take that model and use it in Ireland or is it not as simple as that?

The recommendations in the report are entirely sensible and logical. Many years ago I worked with the Irish National Organisation of the Unemployed, INOU, and we examined the issue of poverty traps. The loss of a medical card and the cost of child care acted as barriers to people taking up employment. It is clear to me that the solution to such issues is an NHS-type health system, where everyone has free medical care and a very affordable child care system, like the Scandinavian model. If I were to wake up tomorrow morning to my dream Ireland, it would be something much closer to Scandinavia in terms of social policy. I ask the witnesses to give us their thoughts in that regard. I also thank the witnesses for coming here, particularly Ms Avril McMonagle and all of the team on the Donegal County Childcare Committee, of whom we are all very proud.

**Deputy Charlie McConalogue:** I thank the Chairman for the opportunity to speak this morning. I particularly welcome Ms McMonagle from the Donegal County Childcare Committee. It is great to see the committee from my home county doing such good work and presenting that work to us today. I would also like to commend Mr. Gray and Indecon on the report they have prepared. I further welcome the representatives from Start Strong, who are exceptional advocates for early-years education.

Quality is the number one issue, no matter what angle one is coming at early education from. We must always try to improve the quality of the services that are being provided. Early child care and education provision has mushroomed in the last ten years and is still finding its feet in many ways. The introduction of the free pre-school year was the single most significant development in this area in recent times. Deputy Mac Lochlainn mentioned the Scandinavian model of child care provision. Access for all families, regardless of income, to child care is crucial and is what we should be working towards. In the meantime, in the absence of a model which suits everyone, the issue of the affordability of child care for those who wish to enter or return to the workforce is the most pressing. At the moment, many families do not have that choice, particularly those on lower incomes.

I ask Mr. Gray to expand on the overall cost of introducing the model he advocates. How

do the representatives of the Donegal County Childcare Committee and Start Strong see that model fitting in with the proposal to provide a second free pre-school year? How do they see the quality agenda being progressed in that context?

**Ms Avril McMonagle:** I will respond to a few of the questions posed. On childminding, one of the key recommendations from the report is to bring unregulated childminders into the regulated system. As I pointed out earlier, that will enhance the quality of care in and of itself. To use the example of Donegal, we have somewhere in the region of 300 unregulated childminders operating and only six are notified to the HSE or the Child and Family Agency, CFA, as it is now. While it is true that the childminder sector exists, it is extremely under-utilised. For over ten years, the Donegal County Childcare Committee had a childminders' advisory worker who worked with childminders to raise the standard of care they were providing and to bring them into the regulated system but that post has now been eradicated. We have not had that post in Donegal for almost two years due to a reduction in funding. As a result, our unregulated sector is actually getting bigger and we are not utilising it properly. By contrast, in Northern Ireland in the late 1990s the situation was very similar to our current situation in that there was a huge, unregulated childminding sector. The NI authorities introduced a voucher system or tax credits which solved the problem almost overnight. Parents could not access a funding subvention for child care unless they used a registered childminder. Childminding is an under-utilised area of child care and if childminders were regulated they would be inspected in the context of pre-school standards, subject to Garda vetting, required to undergo training and, most important, would be on the radar of local child care committees in terms of availing of supports and so forth.

A second free preschool year would be extremely welcome. While we know it will not solve the problem of full-time working parents being able to afford child care, it would make a significant contribution in that regard. However, I would advise caution here. We are working on the front line with child care providers every day and have a vast amount of knowledge in this area. In that context and speaking particularly about Donegal, we would not have the capacity to facilitate a second free pre-school year at the moment. In the absence of a capital investment programme to expand the infrastructure, we could see problems arising whereby the 0 to 2.5 or 0 to 3 age group are pushed out because the child care providers will follow the money, so to speak. Sometimes child care providers will follow the money.

Another concern is governance capacity. Our child care providers are struggling at the moment, managing three to four funding schemes with voluntary management committees running businesses. This is a significant strain on our resources. I have three part-time development officers in the Donegal county child care committee looking after 152 early childhood services. At any one time, there are at least 30 of them undergoing serious governance issues, the very issues Deputies spoke about earlier. It is not as simple as having a second preschool year as the answer to all our problems. We also need to look at the ability of the likes of the county committee to be able to support that and the extra strain this would put on child care services.

**Mr. Alan Gray:** I thank members for the excellent range of questions that moved from philosophical areas to the general policy and to detail.

Long-term involuntary unemployment in families has a significant impact on child development. When it comes to quality of service, one wants the best one can get. There is a growth in the economy with employment expanding but some families are being left behind. Certain long-term unemployed groups will be left behind, unless we find a way to overcome the barriers to unemployment. It is not the case of looking at two idealised models whereby one says

here are exactly the same circumstances for families and which child care model do we want. Families living in poverty have associated issues for parents such as a greater probability for depression and a poor sense of self-worth. They want, however, to contribute, have a job and bring up their families.

Unemployment and child care are not two separate areas. There is a danger in our departmental process, research and even in Oireachtas committees that these are looked at in silos. Why is it that so few children from long-term unemployed families enter university while large cohorts come from employed groups? This is not simply due to the different types of child care provision they have. A significant child care rights issue centres around children brought up in poverty whose parents have major concerns about their sense of self-worth. It is also a key issue of employment.

I advise governmental clients in 80 countries. My advice for this country that I love most is that we look at an integrated way of dealing with this.

**Senator Jillian van Turnhout:** The report looked at the labour activation angle.

**Mr. Alan Gray:** No, the report looked at one aspect.

**Chairman:** Can I remind members we are 15 minutes over time?

**Senator Jillian van Turnhout:** I would have addressed the poverty issue if it was part of the remit.

**Mr. Alan Gray:** It is an important factor in child care development. To have the type of child care development they have in Scandinavia would require additional State investment of €1 billion per annum. The cost of these measures is much more targeted. It is at those most in need and who are facing a trap in gaining employment. The annual cost of such care is estimated to be about €18 million.

If one wanted the measures recommended in this report, our estimates suggest that almost 19,000 people, who would otherwise not have jobs, low-income people, would be able to secure employment. That accounts for 30,000 children. It is not an incidental group.

Where families are struggling in low-income jobs, they are not able to afford quality child care. It is a case of whether they obtain unregulated, poor quality child care or remain unemployed. With these measures, they would be able to afford better quality child care. There will be a different outcome if one has €16,000 a year to spend on child care as opposed to only €8,000.

**Ms Ciairín de Buis:** A crucial point is looking at the child to ensure he or she can access high quality services. Ireland has shamefully high levels of child poverty in Ireland which has a long-term, lifelong, impact on children's educational attainment and employment prospects. That is why we are arguing that we need to examine this area. We need to ensure that quality and affordability of child care are taken together. As Deputy Troy said, they are not exclusive. No one would argue that we should be looking at one without looking at the other.

If we look at international research and the OECD report, those countries which have high quality services do not have tax credits in place as the primary source of funding. In fact, these countries have provision directly into services because it is not seen as an employment aid but a children's education issue.

One of the key points to remember is that the poverty that has the most impact on children is where parents are unemployed. Those children need to access high quality services. Tax breaks to their parents will do nothing for those children who need to access high quality care and education services.

Some pointed out that while we would all love to have universal services for all children from an early age, we need to look at the State's finances. We are not saying the two are exclusive. Start Strong is saying we need to move from the existing free preschool to a second free preschool year and to have income-related subsidies outside that because it needs to be much more than that.

We were asked what happens in other countries and where the good models are. The Scandinavian model is often touted. There is no Scandinavian model. It varies across the Nordic countries, but common to those countries is a very high level of professionalism, funding incentives and caps on the funding which can be income-related, either an absolute cap on what parents pay or a percentage of their incomes. In New Zealand there are incentives to employ a higher level of graduates across all the services. They have what they call the free 20 hours. It is similar to our free preschool year but they have it over a longer period. They also subsidise services outside that free provision to ensure as many graduates as possible are employed and that all the services are high quality. It is addressing the issue of quality and affordability.

One of the issues that arose is where the money is going because the costs are so high here. The costs are high here to parents. It is not that the costs in other countries are significantly lower, it is that parents are not paying the costs because the individual governments across the various countries are making that investment. It is not that the costs are particularly high here, the distinction is who we expect to pay them.

Start Strong has been very much to the fore in campaigning to ensure childminders come within regulation. If schemes are put in place they need to include childminders as far as possible. Most childminders are unregulated. While there are incentives through the tax allowances for childminders, most childminders are not in a position to be regulated because they are not subject to regulation unless they care for four or more children. For those who choose to voluntarily notify, which is higher in Donegal than in many other counties, the supports are decreasing due to cutbacks. Many childminders who may wish voluntarily to notify, find that they cannot because there is nobody in the child care committee who can take on that role or the training is not available because those supports have been cut back. While it is a linked issue and needs to be taken as part of quality and affordability, we also need to bear in mind the position childminders are in.

Quality and affordability need to be addressed together, not one versus the other. We need to retain that focus on the child. On Senator van Turnhout's point, we would not ask these questions about schools because we do not see schools as labour market supports but as children's education. We need to take the same approach to children's early care and education and approach it from the perspective of what is best for the child's educational attainment and outcomes.

**Chairman:** We thank all our witnesses for being here before us and for their very informative presentations and interaction. We will suspend for a couple of minutes to allow the Minister to come in.

*Sitting suspended at 10.55 a.m. and resumed at 11 a.m.*

**Chairman:** I thank everybody for their patience and remind them to switch off their mobile phones. The purpose of this session is to discuss child care in Ireland and the child care committee report. I remind members that we must suspend for a quarter of an hour at the end of the session for technical broadcasting reasons. I welcome the Minister for Children and Youth Affairs, Deputy Frances Fitzgerald. I also welcome Ms Mary McLoughlin from the Department.

Witnesses are protected by absolute privilege in respect of the evidence they give to the committee. However, if they are directed by the committee to cease giving evidence on a particular matter and they continue to do so, they are entitled thereafter only to qualified privilege in respect of their evidence. They are directed that only evidence connected with the subject matter of the proceedings is to be given and they are asked to respect the parliamentary practice to the effect that, where possible, they should not comment on, criticise or make charges against any person, persons or entity by name or in such a way as to make him, her or it identifiable. Members are reminded of the long-standing ruling of the Chair to the effect that they should not comment on, criticise or make charges against any person outside the House or an official either by name or in such a way as to make him or her identifiable.

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I thank the committee for devoting the morning to this discussion on child care. It is a very important topic and a priority for me as Minister to address the range of issues which the committee has been considering this morning. Very soon after becoming Minister I stated that I wanted a focus on early years because it has been lacking in policy, funding and approach. Child care is a critical issue because of its impact on the child and its potential, as has been well illustrated by the contributions of Start Strong and the Donegal County Childcare Committee. Early intervention is good for a child's development. It is extremely supportive for parents who are full-time at home and those combining work with family life. It is also critical for the economy. How we tackle this will be a cutting-edge issue for the Irish economy. As the OECD stated, dealing with it properly would give us a competitive advantage. The participation of women and men in the workforce is critical to attracting and keeping industry and creating jobs. We must support parents working outside the home and those in the home who are perhaps involved in part-time work. It is a huge issue for society and we must give it the type of attention we are giving it this morning. It will be an ongoing issue.

What both presentations have in common is a demand for more resources, which is the bottom-line issue. All of the presentations call for more investment, and this is in the context of our borrowing €8 billion per month at present and still meeting economic and financial challenges. There is no question that as the economy improves we need to see more investment in child care. It is a question of pace, scale, what is feasible at present and how we put in place the building blocks to ensure we can meet the challenges outlined.

I thank Start Strong for its presentation on an approach to child care, which could be described as targeted universalism. It is the right approach and the Right from the Start report I commissioned on early years from a group chaired by Dr. Eilis Hennessy very much highlighted that this type of approach has been good for children and provides the services we need.

I also thank the Donegal County Childcare Committee for its initiative in this area and the recommendations it has made and costed. It suggests an incremental approach to making child care more accessible and has put forward a way in which this might be done. I was a member of the second commission on women and I remember recommending that we should have child care committees. It is worth reflecting on the developments we have seen over the years with regard to child care committees throughout the country and the range of work they have done.

A total of €11 million is given by the Department to child care organisations to support this work and €9 million is given to child care committees to support the development of child care initiatives in their areas. It is important to support those who provide services and analyse the gaps and opportunities. Donegal receives €363,000 from the Department to do the work we have spoken about this morning and support the providers in the area. The child care committees provide an important support service throughout the country.

Particularly in recent months, we have tried to ensure the child care committees work as a national body and bring together their range of experience into a national framework and dialogue on the needs of the sector. In many ways the focus has been on the local area up to now, but we need to tap into the expertise of the child care committees and draw lessons from what they have to say. The report by the Donegal child care committee is useful in this regard because it has taken its experience and is suggesting how we ought to move forward. The different perspective it brings to the table provides food for thought. Its report will form part of the review of the schemes we are conducting at present and will inform the thinking.

I will give a broad overview of the approach to child care I am taking at present. I am very conscious of the importance of child care in supporting parents engaged in employment, education and training. This goes without saying. Many parents entrust their children, as we have heard, to the care of relatives, friends or neighbours. There has been a very concerted effort, including by the dedicated members of the child care committees, to get childminders to register, but it has been very unsuccessful. It is not quite clear why, but very low numbers of childminders, despite targeted work by all of the child care committees, have registered. Because of the informality of the childminding sector, initiatives to move it into a more formal regulated sector have not been successful. Informal arrangements have persisted to quite a degree despite very focused work over the years. Tax relief is available but this has not encouraged registration. It is a feature of the past ten years which merits further discussion, given that many parents will make the decision to use childminders.

Many other parents rely on early years services, 1,000 of which are community-based, while the remainder are commercially operated. Subvention is provided through the child care employment and training support, CETS, and community child care subvention, CCS, programmes to low-income working families and those engaged in education, training and community employment. It is also important to state that direct cash payments amount to €2.2 billion. These comprise child benefit and family income support, which is provided to 600,000 families, including 42,000 low-paid working families. This helps families with general costs and some families use it to contribute towards the cost of child care. It will never cover the full cost of child care for a family. We have focused on direct cash payments in this country and I want to take up a point made on child care costs. There is a perception that child care providers charge extraordinary amounts in comparison to other countries. The reality is that this sector is low-paid and there is a very poor career structure. We must build on training and qualifications - and I have been focusing on that - to give more opportunities to people in the sector and to deliver a better service to children.

As I have repeatedly pointed out, in other European countries governments subsidise the cost rather than giving direct cash payments to parents, although sometimes they give cash payments as well. Over the years, however, Ireland has focused more on direct cash payments rather than on providing an affordable, accessible child care service. That is the legacy of the approach that was taken. Members will recall the early child care supplement, for example, where families were getting €1,200 extra per year towards child care costs. That was removed

in 2008. Some of it was used for the early years free preschool year, which was a very good decision, but €300 million of the money that was a direct cash payment to parents went back into the Exchequer. We have a history of direct cash payment but we have not developed the sector to ensure it is affordable and accessible for the people for whom we wish it to be affordable. That is the current challenge, and it is a very big one given the resource implications. It is worth noting that the issue is not that the sector is charging so much relative to other countries, but that the model in Ireland has not been one of subsidising child care costs. Improving access to affordable, high-quality preschool and child care services is an objective I share. As Deputy Troy said, we all share it. The question is, what are the building blocks and how do we get the resources in place so they can be provided? We have done a certain amount on that but there is more to be done.

The issue of quality, which was referenced in both presentations, is absolutely central. There must be quality in the services. That is the reason I have been working on the eight-point preschool quality agenda for the last two years. Demanding qualifications and training and putting the supports for training and mentoring in place are critical for the child care service we have at present and for developing it.

A second challenge for the sector is economic sustainability. Over the last six years, the demand for child care declined dramatically as the take-up of child care places was affected by reductions in disposable income, unemployment and emigration. The number of women working in that period fell by 83,000. There has been an oversupply of child care places recently. There are places available, but the affordability of those places is the issue. How do we deal with that? I am conscious that changes to some schemes operated by the Department of Social Protection have placed further pressure on the community child care sector. That issue is often raised with me. The introduction of the ECCE programme and the continued investment in our child care schemes reduce the cost of child care for parents. This has helped to sustain the sector, including the jobs of more than 20,000 people. In recent years, we have faced a challenge in sustaining the sector. By maintaining the free preschool year and maintaining the investment at €250 million we have, thankfully, sustained the sector and allowed it to continue to do its valuable work at a time of huge economic challenge for the sector and the country.

The third challenge is funding. This year, my Department will spend €260 million on preschool child care programmes. It is a small portion of the amount we will spend on direct cash payments to families. I will briefly mention the supports that are available. Members of the committee are aware of the ECCE programme. That has cost us more this year because more children are availing of it. We have very good research now on the transition to primary school of the children who have attended and they have done very well in that transition. Again, the value of early intervention, which is the focus of Start Strong, is shown by the research from the Growing Up in Ireland study. It is costing more, and we have allocated an extra €15 million for the scheme this year to ensure it can be maintained. There is a very high take-up, at almost 96%. One-third of parents would not be able to afford that child care if that year was not available to them, so it is reaching parents who otherwise would not send their children to preschool.

We also have the community scheme, which consists of 950 community-based services throughout the country. It is not evenly spread, as a number of Deputies have said, so it is not available everywhere. A total of 25,000 children are availing of those subsidised child care places at present. Parents qualify for a very high rate of subsidy. They get €95 per week when they have a medical card or are on family income supplement and a lower rate of €50 per week if they have a GP visit card. That is a very substantial contribution to families who otherwise

would not access child care. The question is whether this can be extended to reach more families.

There are 1,600 services providing supports to parents who are in education or training, and some 2,500 children are availing of child care places which are subsidised at a rate of €145 per week. If parents are attending certain education or training courses, they can get a contribution towards that. That scheme is open to both for-profit and not-for-profit services. There have been a number of points to the effect that the community scheme should be available to both private and public providers. That is a resource issue. If there were more resources and one did it at present, one would simply be spreading out the resource among more providers. Theoretically, it could go to private providers, but it is a resource issue.

We are introducing a new scheme this year. We have allocated €9.5 million to create an extra 1,800 subsidised places for community employment, CE, workers. It is operated on a similar basis to the child care education training support, CETS, scheme, but there are an extra 1,800 places for CE workers.

We will review the two schemes that are in place. We must carry out a review and an evaluation of the two schemes with a view to considering how best to structure future child care support. Both of them provide support for low-income working families and incentivise labour market activation, and they could be expanded to more families as resources permit. I will look at what Indecon says. Some of the recommendations are similar to the way we run the schemes at present, but it says we need more of what we are doing. I understand that.

One of the recommendations of the Indecon report is tax-based reliefs. Obviously, the Department of Finance would be responsible for any such measure. The Department has indicated that it is of the view that this would lead to increased prices and therefore would have limited impact in terms of savings for parents. That is a real issue. Senator van Turnhout raised questions about whether tax-based reliefs was the right approach to take. In addition, it would benefit only individuals who are in the tax net. There is already a single person carer tax credit available to certain people and it can be transferred to another person, a secondary claimant, other than the principal carer.

The issue of tax relief would have to be considered carefully. There is evidence - Start Strong referred to this - that those countries that have the strongest support for child care, the often-mentioned Nordic countries and others, generally do it through payments for services rather than direct payment or credits to parents. They generally do it as a universal service but depending on income, even in Norway, there is a sliding scale of payment that parents make to the service. The international model that people believe yields the best return is one in which money is put into a more universal service rather than doing it through the tax system.

The discussion today has been largely about parents and costs. However, as has been pointed out, it is important to bear in mind that the primary focus is the child and the quality of what is available to children. We have unequivocal evidence from Irish research - not English or American research - and strong data on the impact intervention has on children during their early years, from educational and developmental points of view, and on how it will provide savings for the country if we invest in the early years.

Those were my immediate thoughts on hearing the two presentations and I hope they will prove helpful to the committee.

**Deputy Robert Troy:** I will follow the point made by the Minister that the primary focus must be on the child. That is true. It is interesting to note what the economist, Mr. Gray, had to say. Economists normally tend to dwell on facts, figures and statistics. However, he has made the point that if we do not support the long-term unemployed in getting back into the workforce, children from such families tend not to develop in the same way as children from families who are working. A strong point was made that in times of limited resources there was a need to target funding at those most in need.

I am delighted to have the opportunity to speak on this matter again. As the Minister knows, my party raised it during Private Members' business in the Dáil last week. It is only right and proper that this debate is being held and broadened to ensure we tackle the issue, but we must do more than just debate it; we must bring forward workable solutions. There is no point in just debating it and being a talking shop; we need to bring forward workable solutions.

I am somewhat disappointed to learn that the promised review of the two CET schemes has not commenced. The Minister has stated in her document that it will commence. It is important that it does and it should be a priority. My understanding is that one of the schemes is closed to new entrants, if not both of them. As currently operated - the Minister alluded to this fact - they are not nationwide and the opportunity to avail of them largely depends on where a child lives. I do not think this is fair or appropriate.

The Minister and others, including the representatives of Start Strong and the Donegal County Childcare Committee, have spoken about childminders. This morning members of the committee spoke about this issue, including the fact that childminders were unregulated. The representative of the Donegal child care committee cited as one of the reasons there was a lack of registration the fact that the Minister's Department had abolished the post in county child care committees in the past two years. Therefore, people do not consider they have a point of contact. The vetting legislation that passed through the Oireachtas 12 or 18 months ago did not include a requirement for childminders to register. My party tabled an amendment on the matter. We also tabled an amendment to the new Child and Family Agency Bill, but, again, it was not accepted. When will the new national standards be published? What level of consultation has there been with practitioners?

The Minister talked about schemes. She said she had worked closely with the Department of Social Protection, but she made no mention of an after school scheme that had been announced in a previous budget that would target 5,000 children. How many children will avail of this scheme and when will it be rolled out nationally? I know that it is operated on a targeted basis.

**Chairman:** Time, please, Deputy.

**Deputy Robert Troy:** I appreciate that, but we only received the Minister's presentation before the meeting commenced. I am surprised by one of the lines in her contribution. She said: "I am conscious that changes to schemes operated by the Department of Social Protection have placed further pressure on the community child care sector." Was it not a whole-of-government approach? Was there not a collective Cabinet decision? I am disappointed that the Minister has tried to put the blame on another Department, which is what her comment suggests. The reason for having a Department and a Cabinet Minister with responsibility for children was to ensure such issues would be fought for at Cabinet level.

**Deputy Sandra McLellan:** I apologise on behalf of Deputy Caoimhghín Ó Caoláin who

cannot attend today.

I thank the Minister for her extensive presentation, but, unfortunately, I have not had time to digest all of it. I would have preferred to have received it last night in order that I could have read, it but I will read it again after I finish.

Obviously, my party supports universal access to child care provision, but we also accept that the Minister must compete for funding for the Department's purse. In the absence of the required funds, we must cut our cloth to measure. If we had the funding sought, we would want to provide for a further year's entitlements, perhaps with a targeted approach in disadvantaged communities.

The report clearly states child care costs act as a barrier to employment. Some 45% of the average industrial wage is spent on child care. Many families do not earn the average industrial wage and low income families do not come anywhere near that income level. It is important that a child has a quality child care experience, but it has been stated it costs a family over €16,000 to have two children in child care. Many families would not be able to afford that sum; therefore, low income families who want to work are forced to avail of poor quality and unregulated child care services. It has also been stated many families rely on family and relatives to provide child care.

On the suggestion that child care should be linked with entitlement to a medical card, I am not sure that would be a good idea. Owing to all of the cutbacks, for many families supports are falling by the wayside. This does not just apply to child care; it also applies to school transport and everything else linked with the medical card. This issue needs to be looked at.

I turn to the issue of tax reliefs. While I agree that many families are not in the tax net, reliefs should be included to support universal access. Will the Minister explain what the review of the CCS and the CETS programmes will consist of?

**Senator Jillian van Turnhout:** I welcome the Minister. As she was in attendance for the previous session, it is great that we do not have to repeat what we said.

The issue of children experiencing poverty is one to which the committee should give further consideration. I know that Deputy Ciara Conway is compiling a report on it for the committee.

The issue of registration and inspections and a breach of trust arose, but we can deal with it in our next session. Also, we are scheduled to talk to the Minister about the early years strategy in the coming weeks.

I listened to what the Minister had to say this morning when she emphasised that we should focus on investment rather than taxation. Perhaps it will surprise the Chairman when I say I agree with everything she said on the matter and that it is only a matter of deciding how to do it. I do not have questions because I totally agree with the strategy outlined this morning.

**Deputy Catherine Byrne:** I wish to repeat what Senator Jillian van Turnhout said. The report outlines for us what the issue of child care should be all about. Like Deputy Sandra McLellan I do not know why the Department or the Minister does not issue us with a copy of the report the day before. It would be helpful if we could have a copy of the report the day before as it would give us an opportunity to read it and take it in. We all had time to read the other report from Donegal County Childcare Committee.

I am old-fashioned about child care. I believe the first few years of a child's life are very important, it is when the mother bonds with the child and learns to love and care in the family surroundings. I agree that some people do not have that option as there are not many companies or bosses who have flexible arrangements in place for young parents when they return to work. The report stated that 77% of parents and relatives mind children and share a flexible arrangement.

My daughter, who was a councillor in Dublin City Council, was pregnant three years ago and had no maternity leave. This made life very difficult for her. If we are talking about women going into politics, the issue of child care will have to be examined right across the board, not just in isolated places. The question I am about to put may not be a relevant one for the Minister. However, given that she is Minister for Children and Youth Affairs, can we consider the issue of extending maternity leave for women and men? Children are a shared responsibility of their parents and some men would like to be able to share maternity leave. I do not have any questions except to make those remarks.

**Senator Imelda Henry:** When I was first elected to Sligo County Council in 2004 an issue about which I spoke consistently was child care and child care in Ireland. We have come a long way in a short time in respect of child care facilities. Whether private or community-based facilities, all are excellent and very well run. Following the report on national TV which highlighted serious difficulties in some child care facilities, it is important to note that those difficulties did not exist across the board-----

**Chairman:** Will Senator Henry please ensure that her mobile telephone is switched off?

**Senator Imelda Henry:** Sorry.

**Chairman:** Go raibh maith agat.

**Senator Imelda Henry:** I do not think-----

**Chairman:** It could be the iPad.

**Senator Imelda Henry:** Deputy Catherine Byrne raised the issue of women getting into the politics. That is an issue on which I speak frequently. There is a need to look at child care facilities and perhaps not just from 9 a.m. to 5 p.m. or 8 a.m. to 6 p.m. I congratulate the Minister on her work to date and her ambition for child care.

**Deputy Regina Doherty:** Probably there is a little bit of a love-in here because everybody is in agreement with the policies pursued by the Department. I concur. It is interesting that the only person sitting at this committee from whom there is any criticism is from the party that took €300 million directly out of child care payments to families at a time when there were buckets of money in the country. It is a bit rich.

I welcome the extra €9 million the Minister has provided for CE placements. Community child care facilities are second to none and provide invaluable resources particularly for people who are not as well off as others in society. I would like to see community child care rolled out to every town and village and given the constraints under which the Minister is operating that €9 million is very effective. Given that the Minister is at the table, it is welcome that a cross-departmental approach is being taken to the issues around early childhood years. It is testament to the Minister that other Ministers are serious in their activities to support her Department with their activation measures, not least the Minister for Social Protection but, particularly, the Min-

ister for Finance. I congratulate her and we will support her in any way we can.

**Chairman:** In terms of the discussion, would the Minister agree the discussion is not just about her Department, it is a cross-sectoral issue, cross-departmental be it Social Protection, Finance, Enterprise, Jobs and Innovation, or Education and Skills?

**Deputy Frances Fitzgerald:** Yes. I would like the presentations from this morning to be given to the Joint Committee on Finance, Public Expenditure and Reform and the Joint Committee on Jobs, Enterprise and Innovation. This is a very good place in which to start because it is the Joint Committee on Health and Children. There is no question but that the issues are cross-departmental. It is a whole of Government issue, as are the issues about resources.

**Chairman:** After the discussion, perhaps as a committee we might discuss whether to forward the presentations and request other committees to do that as well.

**Deputy Frances Fitzgerald:** That would be welcome. As Minister for Children and Youth Affairs and as somebody who has worked, as have many members of the committee, for many years to develop a child care service that both presenters this morning would like to see, we are very familiar with the issues and many people around the table have done much work on these issues, including myself, over the years. Clearly, there are new and ongoing challenges. It is interesting that when there was a good deal of money around we chose to put it into direct cash payments which are important for families, but we did not make the kind of investment that other countries made in affordable accessible child care. That is the focus of the discussion here. How do we now play catch-up and how do we deal with this issue which is impacting on so many families? It is not simply about talking about it, it is about taking action.

The action I have taken is to have €180 million in the preschool year last year, €80 million on the targeted schemes and, €4.5 million, for the first time ever, as a direct budget line to work on training and mentoring issues which the sector has identified as critical. We are in the process of developing those training and mentoring schemes involving a huge amount of consultation with the sector. For example, on the development of the mentoring scheme all of the child care committees from around the country have been represented at meetings and the voluntary sector has also come together to discuss what type of mentoring scheme it would like to see. We will have 30 or 40 mentors in place in the next few months to begin to go into child care services and support them in terms of quality. That is the method that works. For the first time we have that money in a budget for mentoring and training. During the Celtic tiger the issues of accessibility and affordability were not dealt with to the degree they needed to be dealt with. That is the legacy that I and the Government have to deal with and on which we have to move forward.

Some of the questions were about resources. It is a resource question in terms of developing the schemes that are suitable and will reach the families we are discussing. That is the reason the review is important. It has started internally in the Department. I want to examine how we can develop those schemes, whether they need to be integrated into one scheme which would deal with some of the issues raised members of the committee and the providers this morning, or developed in an incremental way. I can come back to the committee at a later stage to discuss the review as it develops. I am aware that people in the sector wish to contribute. I do not want it to be a long review. I want to get recommendations in fairly quickly. I want to examine the schemes as they develop for the future in order that they can complement the development of the free preschool year and, hopefully, a second year although it would cost approximately €180 million extra. Everybody has agreed we should not move to a second year until we deal with

the quality issues. My focus this year is on those quality issues so that the sector is prepared and able to move towards a second year and the expansion we have been talking about. There is a range of challenges from a resource point of view and from a quality qualifications point of view but we are responding to those as I have outlined. With regard to the general point Deputy Byrne made on parental and maternity leave, the early years strategy that we will be working on and publishing this year will address the issue. The Deputy is absolutely correct that we need to be examining shared leave, the role of fathers and access to leave for fathers.

The Deputy referred to extending maternity leave. As a Deputy, I remember tabling an amendment to social welfare legislation to increase the amount of maternity leave. An extension was provided for at the time I tabled it. The period has been extended fairly significantly over the years. Any further extension will have considerable resource implications; there is no question about that. However, we have moved fairly dramatically from a position in which there was but a couple of weeks' maternity leave to the current position.

**Chairman:** Is there buy-in within the establishment to change that given that we are all agreed that early years services represent the way to go? We all agree that the early years are the most critical in the development of the child.

**Deputy Frances Fitzgerald:** In terms of the early years investment, we now have for the first time - from the ESRI study on work and others - results of research on Irish children and the benefits of early years intervention. We have a long way to go before there will be a shared understanding of that at societal level. We have not had sufficient focus on early years. While we say we are very child centred, and while the Government is trying to be child centred through the establishment of my Department and my work, as a society we focus quite a lot on primary school years and the years thereafter without focusing greatly on early years. This committee and I are trying to change that by examining how services develop, highlighting the needs that exist and working to meet those needs. There is no doubt that the focus has been more on the years from primary school onwards than on early years. We need a dramatic change in order to realise the potential of early years and put the necessary services in place. Many of those services will centre around parenting supports. It is not simply about child care; it is also about our approach to maternity leave. The early years strategy will examine this broad range of issues. It includes, for example, the breast-feeding rate in Ireland, which is so low by comparison with those in other countries. We have disturbing research showing that the breast-feeding rate of immigrant women in Ireland drops when they come here, presumably because of cultural attitudes. All of these issues are about the early years. We have a lot of work to do still to ensure greater appreciation at national level of the importance of early years, although every parent instinctively knows that. In terms of the supports and development of the services, we are at an early enough stage.

I have addressed most of the issues. My comment on the Department of Social Protection was simply to highlight that the change in terms of the double payments has affected those who are available to work in the sector, but the key and more important point concerns qualifications and training for everybody involved. We should not be using untrained workers in the child care sector.

**Deputy Robert Troy:** I make no apologies for asking some difficult questions because that is what I was elected to do. Representatives of the child care sector request me to do so.

With regard to childminders, I asked specifically about the abolition of the posts within the county child care committees throughout the country, which occurred in the past two years. I

also asked about the amendments that would have included childminders in the vetting legislation. I asked also when the new national standards will be published. The Minister mentioned schemes being run in conjunction with the Department of Social Protection. How is the after-school scheme that was launched with the previous budget working or evolving?

**Deputy Catherine Byrne:** I am delighted to hear about the early years arrangements and the analysis of shared leave and maternity leave. The Minister is very much correct about breast-feeding. The facilities in town are a problem. There is one shop in town to which every mother goes – I will not mention its name because it would be advertising – and the rest are appalling. I would not encourage any mother to go into town to do some shopping if she had to go into a department store to breast-feed.

**Chairman:** It would be acceptable to give the name of the store if it helped to facilitate other women.

**Deputy Catherine Byrne:** Marks & Spencer. It has an excellent facility and any young mother who goes into town makes a beeline for it. It is a credit to the store. It should be seen as the *crème de la crème* by those who want to change a baby's nappy and breast-feed.

Deputy Doherty referred to community crèches. I am a lover of them and they are all around my constituency. Nobody should be working in child care unless he or she is well trained. Some of the community crèches that I have visited in my parish and area have been loyal to the concepts of childminding and child care. There are staunch women who have been in the system for many years. Will the new policy interfere with them? Many of them fear that they will not be needed any more. They may not have the FETAC qualification at levels 6 or 7. What will happen these people? They have been the backbone of many community crèches. They were parents with children in the crèches in the early years and they have gone gradually through the system.

**Deputy Peter Fitzpatrick:** The Minister is doing an excellent job at present. The community children's services subvention and the children's education and training supports are excellent. I commend the Minister on the funding of €70 million that has been made available.

I spoke to the Minister yesterday at a parliamentary party meeting about the minimum qualification for early years staff. All of these questions arose in recent weeks. There are many quality staff at present. The biggest problem is that many will not have the qualifications that will allow them to continue. They have done a fantastic job in the crèches. Is there any way in which some of them can be kept involved after September 2015 if they do not reach levels 5 or 6?

**Deputy Frances Fitzgerald:** The issue in regard to childminders is actually broader than the point Deputy Troy is making on staff who had a particular responsibility for childminding. It is interesting that, during the period when there were people with particular responsibility for working with childminders, there were still only 1,200 childminders registered out of perhaps 30,000 or 40,000. With regard to getting them to register and link in, there are other factors at play. It is not simply a question of what is available at the local child care committee. When there was a dedicated member of staff, there was still a very low number registering. In Donegal, for example, six out of 300 childminders are registered. The sector is so informal that it appears that trying to get childminders to link in with the local child care committee, do their work in a more formal way and avail of training supports presents a difficulty. There is a childminders' organisation that my Department funds to quite a high degree. There is more to this

question than the approach that has been taken so far. It deserves further study and understanding of what precisely is happening.

We must consider the resources available for early years services. There is much work to be done on early years services to which parents are entrusting their children. Much work has not been done to date on training, qualifications and inspections. We now need to focus on this work more and plan it. Childminding in other countries has been brought into the net but it is often after some of this other work has been done. This is an issue, of course. I encourage every childminder to link in with child care committees and avail of the supports and services that exist. A range of factors determines whether a childminder will do so, as we can see. The arrangement did not work over the past ten years in terms of getting childminders to register and become involved in the formal network. Many parents are of the view that determining who should mind their children, be it a neighbour or childminder, is a private decision and that this is how it should be. That is the view of some parents out there as well. Committee members might want to comment on that, but that is a decision many Irish parents take as opposed to using the more regulated service where other children attend as well. That is ongoing.

The indications in relation to the after-school service, as stated at the committee previously, were that those signing on with the Department of Social Protection wanted more all-day services as opposed to after-school services and that is why we have brought in the new scheme this year for community employment. That, rather than after-school service, is where the demand would seem to be.

**Deputy Robert Troy:** Is that scheme discontinued?

**Deputy Frances Fitzgerald:** No, it is still in place. Those who are looking for child-care services want full-day care more than they do after-school care. Perhaps they make their own arrangements for after school. There is also perhaps the cost issue, but it was funded.

On Deputy Fitzpatrick's point about those who are working in the sector, we want staff to be qualified. We will demand that, by September 2014 and 2015, staff will have qualifications and it is important that we persist with that. The reason the Government allocated funding to subsidise the training is that it will be affordable. There will be a large subsidy for any training that is needed. That is the first point.

The second point is we will have a transition recognition for staff who have been in the sector for a long time and who meet certain criteria. It is usually referred to as "a grandfather clause". It is probably more "a grandmother clause" in this instance as there are more women than men. We will deal with some of the transition issues for staff who are experienced. In that regard, we must have clear criteria because we want those in the sector to be qualified and to reached the level of those qualifications.

**Deputy Catherine Byrne:** What kind of funding will be available for that training?

**Deputy Frances Fitzgerald:** In the budget, €1.5 million was allocated for this year. It is quite significant. There has been a strong take-up already. We also gave funding to a number of the national organisations. When I meet those from the sector, they tell me that they are delighted to have the opportunity to get this subsidy and to do the training, and they are hugely motivated to do it.

Many in the sector are going way beyond the qualifications that we are laying down as statutory. Many have done degrees and masters in child care. In fact, their problem is that, unlike

in other countries, there is not the career structure within the service for them. That is another challenge.

**Chairman:** I thank the Minister and Ms McLoughlin for being here for this section of our three-part meeting dealing with child-care issues. The next session will be a review post the broadcasting of “A Breach of Trust”. We will suspend until 12 o’clock.

*Sitting suspended at 11.53 a.m. and resumed at noon.*

**Chairman:** I thank members for their attendance. I acknowledge the presence in the Gallery of Mr. Orán Sweeney, Ms Ciara Cashen and Ms Lorraine Cronin from the Donegal County Childcare Committee and thank them for the work they are doing. I also note the presence of Mr. Pat Montague of Start Strong and thank him as well.

The next session will deal with the issues arising on foot of the broadcast of the “Breach of Trust” television programme, on which this joint committee held hearings initially. Moreover, the joint committee stated it would return to this matter following the interval that has elapsed between the programme’s initial transmission and the present, which has allowed time to scrutinise the review of actions taken since the broadcast of that documentary on “Prime Time”. I welcome back before the joint committee Ms Mary McLoughlin, Mr. Gerry McKiernan, Ms Fiona McDonnell and Mr. Mike Corcoran. I remind witnesses they are protected by absolute privilege in respect of the evidence they are to give to this committee. However, if they are directed by the committee to cease giving evidence on a particular matter and they continue to do so, they are entitled thereafter only to qualified privilege in respect of their evidence. They are directed that only evidence connected with the subject matter of these proceedings is to be given and are asked to respect the parliamentary practice to the effect that, where possible, they should not comment on, criticise or make charges against a person, persons or an entity, either by name or in such a way as to make him, her or it identifiable. Members are reminded of the long-standing rule of the Chair or parliamentary practice to the effect that they should not comment on, criticise or make charges against either a person or persons outside the Houses or an official by name or in such a way as to make him or her identifiable.

I again thank the Minister for Children and Youth Affairs for her attendance today and invite her to make her opening statement on this matter.

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I am glad to have the opportunity to focus on the implementation of the early years and child care quality agenda because it is at the heart of the discussion we are having today. A number of points that are relevant to this section of the committee’s deliberations already have been made. I refer in particular to the points on the early years and the neglect of this sector. This may seem a strange comment to make given the obvious investment in child care facilities over the years. Moreover, as I stated previously, there is annual expenditure of €260 million in direct support to the sector. In the past, however, the focus was very much on building up the bricks and mortar of the child care facilities. While I have reopened the child care capital programme and have given almost €8 million in 2012 and 2013, my focus, which is the necessary focus at present, is on supporting those who make up the staff of these facilities and improving quality standards. One must understand how this has contributed to this discussion and to the challenges now being faced. Reference already has been made to the pay levels, the status of early years staff and the challenges in that area. I need not repeat them, as they were highlighted in the previous two discussions. However, this is a sector with 5,000 services and more than 22,000 staff. Change in such a large and previously under-supported sector will not happen overnight and it is impor-

tant to understand that and to set ambitious but realistic objectives for that sector.

I acknowledge, as have a number of members already, that the majority of services already operate to high standards. However, parents and the sector must be assured that all services will be supported and regulated to ensure high standards across the board. I am sure that most parents, when they enrol their child in a service, assume automatically that their expectations of standards and a high quality will be met. Consequently, they are extremely shocked when they hear of or receive any evidence to the contrary. This is the reason the “Prime Time” programme was so shocking for many parents. I reiterate to parents that it is clear they should know what is going on in a centre, should have access to information and the inspection reports and certainly should ask questions. However, the responsibility does not rest solely with parents but is also on the Government to ensure the sector is regulated. I wish to make some points in this regard because, undoubtedly, there remain some pockets of poor practice. Moreover, I have no doubt that some services, including community crèches, struggle to meet higher standards but there is no other choice. Quality is a must for the sector.

I now wish to focus on the actions taken and on which the Department has been working to drive the implementation of an early years child care quality agenda. The Department has taken prompt action that will have a significant impact on the sector and in respect of the quality of care. For example, the first measure taken was to organise, working with the Health Service Executive, HSE, at the time and Pobal, that inspection reports would be placed online and would be made publically available. A huge amount of work was involved and I pay tribute to the small staff that worked on that, which has ensured that more than 2,600 reports are available online. It has been a time-consuming activity for the inspectorate that has carried out this work but such transparency is of enormous value. I should add that in addition to historic reports, more recent reports also are being published.

As part of the arrangements for establishing the new Child and Family Agency, I had been working for some time with the children and family services of the HSE to standardise and improve the resources and work practices of the early years inspectorate. For the first time, this service is now nationally managed and working to common standards, which is a huge improvement on the previous inconsistent and perhaps locally-managed arrangements. Moreover, child care providers have commented to me on the improvements they already have seen in terms of a national approach. A core problem for the service was that there were vacancies for inspectors in some parts of the country, leading to the extraordinary position, when one reflects on it, that in some areas there were no inspections. Eight posts are currently being filled to address this problem and recruitment is well under way. Once the recruitment process has been finalised, those eight people will be in position. Moreover, a panel will be formed from which to draw further inspectors and the Government has allocated the funds for those posts. As I have stated, an additional €500,000 in funding has been allocated to assist the new Child and Family Agency to further strengthen the inspectorate. This is the first basic requirement, which I believe now is being met.

The second initiative was my prompt introduction of legislation, with the support of all Deputies, to amend Part VII of the Child Care Act 1991, which governs the regulation of early years services. I took considerable legal advice on this issue to ascertain how far I could go in respect of the new legislative provisions brought in as part of the Child and Family Agency Act 2013. That legislation passed through the Houses before Christmas and by bringing in this legislation, a new registration system for early years services was introduced. In consequence, new services must now register before they can commence operation. It is quite extraordinary

that heretofore one was not obliged to register that one was setting up a child care facility. Importantly, the legislative changes give inspectors new powers, which can be used before the stage of prosecution. Yesterday, I met environmental health officers who told me how important this is. While it had applied to other areas in which they carried out their work, it did not apply in respect of child care previously. This means that a range of pre-prosecution actions has been introduced, which empowers them to a far greater extent than previously. For example, they can impose improvement orders on a service, which, if not complied with, can result in de-registration of the service. I will compare the position before and after the enactment of this legislation. Following the introduction of the new regulations, inspectors, having identified a concern, will now attach a condition to the service in the national register. The inspector will then check that the condition has been complied with. If concerns continue, the service can be de-registered and will no longer be able to operate. The threat of de-registration is likely to be a far more effective catalyst for change because we want to see improvements, not closures. We want to see services making improvements and being able to continue. The difference is that the inspectorate, post the legislation, will be in a much stronger position that they were when they identified issues within services a year ago.

In addition, under the Child and Family Act - the new legislation - the fine that can be imposed on a service, on foot of a successful prosecution in the District Court, has been increased to the maximum fine possible. All of those changes in the legislation make the situation different from what it was previously and ensure that the services are more effective and are operating to the standards and quality we all want to see.

A further provision of the new legislation is based on the international evidence that shows that the introduction of higher qualifications increases the quality of the experience and outcomes for children. For this reason, the legislation also allows for the imposition of new qualification requirements for staff working in early years. As I have indicated, it is my intention to introduce a requirement for all staff working with children in these services to have a full FETAC level 5 award in early childhood care and education, with effect from September 2014 in the case of new services and from September 2015 in the case of existing services. I will also be increasing the existing minimum requirement under the free preschool year programme for preschool leaders to hold a full FETAC Level 5 award in early childhood care and education to Level 6. As I said in reply to questions, I will be supporting staff by subsidising the training because we have a new training fund. In terms of what is new from last year, we have a new training fund and a new mentoring scheme under way. I hope I will be in a position by mid-March to seek expressions of interest in providing this training from training providers nationally.

To provide for these and other changes I will be introducing new regulations, accompanied by national quality standards, and I will launch these standards in May. The standards are ready but I have decided to have the launch when the new regulations are written because it makes more sense to do the two together. This will provide the basis against which the services will be inspected and reported on. The intention is to support services to work towards higher standards of quality while providing clearer criteria against which to measure and report on their existing levels of compliance.

The committee will be aware - I spoke about this here previously - that in 2012 a number of inspections were carried out jointly by the Health Service Executive, HSE, and the Department of Education and Skills inspectorate as a pilot project with a view to feeding into the longer term improvement of the regulations. While the project went well overall, it identified particular weaknesses regarding a range of education issues such as understanding and imple-

mentation of the curriculum. I therefore asked my colleague, the Minister for Education and Skills, Deputy Quinn, to consider how the resources of his Department might support more education-focused inspections, initially in the preschool year. By education I mean taking account of broader developmental needs.

I will also be introducing later this year a new national quality support service for early year services; that is the mentoring scheme about which I have spoken already. We have had many consultations on that with the sector. The sector has had a national meeting to discuss how it would like to see that develop and has given a paper to my Department, which will be part and parcel of the roll-out of the scheme.

The new service will have access to a new practice manual for early-years services, which will bring the key principles of *Síolta* and *Aistear* together in a more user-friendly way. That is being developed by the National Council for Curriculum Assessment. This new service will not be a stand-alone service but will build on and be linked to a range of existing quality supports funded by my Department. Obviously, that includes the supports provided by the city and county child care committees, the voluntary child care organisations and Pobal.

I believe these reforms represent a strong and comprehensive response from my Department and this Government to addressing quality standards in early years services, an issue that was not adequately tackled until now. We have made strides, but we have a long way to go. No one should expect that the turnaround will be immediate but we are taking the initiatives that will lead to increased quality and standards, and it will be continuous.

I will continue to treat this matter as a major priority and I welcome ongoing discussion on how we can move forward, supporting our services for the benefit of children and families.

**Chairman:** Before calling Deputy Troy I would like to welcome Mr. Gerry McKiernan, Mr. Mike Corcoran and Fiona McDonnell from the Child and Family Agency, and Ms Mary McLoughlin from the Department. Does Mr. McKiernan want to make some comments?

**Mr. Gerry McKiernan:** I have a statement, Chairman.

**Chairman:** Please proceed. My apologies.

**Senator Jillian van Turnhout:** The witnesses might indicate their roles for the benefit of members.

**Chairman:** I am sorry, Deputy Troy. That was my mistake. I will call Mr. McKiernan and then you to contribute.

**Mr. Gerry McKiernan:** I welcome this opportunity to update the members on developments within the Child and Family Agency with regard to the inspection and regulation of early years services. In response to Senator van Turnhout, I am the service director in the agency with responsibility for the reform programme of the agency and a number of specialist services, the early years inspection services being one of them, and related matters.

In this opening statement I will cover three main areas, namely, reform, service activity, and transparency, accountability and quality assurance. I am joined by my colleagues Ms Fiona McDonnell and Mr. Mike Corcoran. Ms McDonnell's role is national specialist for early years services, currently holding national responsibility for the inspection services. Mr. Corcoran is the national manager for quality assurance.

Early years inspection services are now part of the Child and Family Agency established on 1 January 2014, which comprises the former HSE Children and Family Services, the Family Support Agency, the National Educational Welfare Board, and a number of other child-related services. It represents the most comprehensive reform of child protection, early intervention and family support services ever undertaken in Ireland. The agency has been established with a staff of 4,000 and an operational budget of €609 million.

With regard to reform, it is one of the key foci of the agency. The significant legislative change in the Child and Family Agency Act 2013 has a particular applicability to the early years inspection service. Part VII of the Child Care Act 1991, which prescribes the powers of supervision and inspection of the early years services, has been amended. The legislative change introduces a pre-approval registration model with the emphasis on quality assurance. It comprehensively reforms the enforcement options available to the agency. Under the new statute, existing notified providers are deemed to be registered with a requirement to reapply for registration within three years, and new services will be required to be registered before they can commence service provision.

Inspections will be based on a newly developed set of national standards, which the Minister has confirmed will be implemented from May onwards. These standards will focus on the experiences and outcomes for children attending the early years services. They are intended to strengthen the management, governance and supervision of services. They will provide a comprehensive framework for the regulation and quality assurance of all early years services.

In accordance with the requirements of section 46 of the Child and Family Agency Act 2013, the agency has submitted a business plan to the Department of Children and Youth Affairs, which sets out a range of priorities to be addressed in 2014.

The focus in the early years inspection service will be on quality assurance, workforce development and outcomes for children. The early years inspection service will operate on a national rather than a local or regional basis. This is to ensure that resources are deployed to maximum effect and that a consistent service is provided. A number of areas of action have been prioritised. These are: strengthening the national early years inspection system; applying new protocols and standards to underpin regulatory compliance and enforcement; and introducing a registration system.

The new registration system, which replaces the previous system of notification, will be introduced in response to that amendment to Part VII of the Child Care Act 1991.

Standards based inspections will commence in 2014, and again May is the target date in that regard. An information and communications technology system is being developed to support the inspection and registration processes and to facilitate payment of registration fees online. The inspection function is being strengthened by the appointment of a number of additional inspectors and inspection reports will be published online in a timely manner.

In regard to service activity, I would like members to note that a service improvement programme has been underway in the early years inspection service over the past year. The aim of this programme is to standardise the inspection process across the country and tackle resource deficits, in particular in the greater Dublin area.

The inspection staff complement is currently 42 whole-time equivalents. There are eight vacancies currently and these have been approved for filling. Interviews have been held and

preferred candidates are being deployed. New posts will be filled from the panels created following those recent interviews. Our target is to increase inspection staff to 47 given an approximate 1:100 of inspector to services. The inspection service will be managed on a national rather than a local or regional basis.

In 2013, 2,432 inspections and 526 advisory visits were undertaken. Some 359 complaints were received and investigated and eight prosecutions were instituted. The Child and Family Agency is committed to making inspection reports available online to parents and guardians in a timely manner so that they can make informed choices about early years provision for their children. The focus is also on providing clear information that details any reported breaches. Reports must observe quality assurance and data protection protocols and all elements of regulations must be commented on.

Retrospective inspection reports from January 2010 to July 2013 are now being published on the Pobal website. To date, 2,635 reports have been made available online. The remaining historic reports will be published by end April 2014. In addition, all inspection reports since 1 July 2013 are being published on a current basis.

In June 2013 the HSE children and family services commissioned research on pre-school inspection reports and the pre-school inspection process covering the 17-month period from January 2012 to May 2013. This research is being finalised and is being reviewed by the Child and Family Agency. The findings from the reports will be of particular assistance to service users, inspectors, service providers, policy makers and others in highlighting areas of concern that have been identified through the inspection process.

The preliminary findings demonstrate that the majority of providers are compliant with the legislation. Particular areas for improvement have been identified, notably, management and staffing, safety and record-keeping. When the research is completed, a seminar will be arranged, in consultation with the Department of Children and Youth Affairs, to discuss the key findings and recommendations with stakeholders.

Early years inspection services play an important role in increasing the numbers of children who are given opportunities to develop essential skills which support effective early engagement at school. The Child and Family Agency is committed to developing the highest possible standards in the provision of early years services. The focus is on ensuring that parents are empowered to source high quality child care that promotes the welfare of children and enhances their development.

The agency recently published its initial statement of purpose entitled, Ireland's Child and Family Agency, Towards a Shared Purpose. The aim of this document is to enable a wide-ranging consultation and debate in regard to the priorities and key objectives for the agency in the preparation of its first three-year plan to be published in the summer of 2014. We are inviting partners and stakeholders to critique this document in order to ensure that the priorities outlined are the top priorities for Ireland's children. Consultation with the early years sector will be an important part of this process.

The early years strategy commissioned by the Minister for Children and Youth Affairs, Deputy Frances Fitzgerald, is welcome as it will bring a particular focus and clarity to this important sector. Together with my colleagues, I will be happy to take members' questions.

**Chairman:** I thank Mr. McKiernan and call Deputy Troy.

**Deputy Robert Troy:** I thank the Minister and Mr. McKiernan for their contributions. It is very important that we have this meeting today. We were all sick to the pit of our stomachs when more than six months ago, RTE exposed what was going on in certain preschool and early childhood centres. The Minister is right to make this a priority. Nothing, including amendments to legislation, can be brought in fast enough because what we witnessed in that television programme was appalling. I acknowledge the Minister is making strides to bring about reforms but there are some areas in which I worry about the speed of the reforms.

The Minister said a core problem for the service was that there were vacancies for inspectors in some parts of the country. Six months on, not all of those inspectors have been hired. Last week during Private Members' business, the Minister confirmed that there were regions in the country which still did not have an inspector six months on. I would not survive in my office for six months without a critical support staff member. Why is it taking so long to hire these staff? The length of time it is taking is unacceptable. Why do we persist in hiring public health nurses for these roles despite the fact people across the board have called for experts in early childhood care to be hired? The Minister is right that she got cross-party support for the amendment to the Child Care Act 1991 to bring in new tough sanctions, which are welcome.

I would like to focus on the quality of care and the regulations. When will the regulations be published? Will we put these new regulations on quality of care on a statutory basis? Will we bring in robust legislation with a clear framework for quality of care so that we can give parents the reassurance they need in this regard?

The training fund is welcome. I said before that this was too restrictive, as one of the issues exposed on the "Prime Time" programme was the inadequate support structures for management. Management could not avail of this restricted fund. Will the fund be available to services throughout the country? I raised a concern about the manner in which the initial fund was distributed. Will the €1.5 million fund for this year be available to all service providers?

Last week on Question Time I raised with the Minister the bureaucratic nightmare of the vetting process where there is a need for double vetting for people attending a course and going on placements. The Minister said she would have an urgent meeting with the Data Protection Commissioner. Has that meeting taken place and if so, what was the outcome of that meeting? Can the Minister give us an update on vetting times because that is very important?

I refer to unregulated childminders, an area I have highlighted on numerous occasions. We are talking about paid non-relatives and not about a grandparent, an aunt or an uncle. The Minister said she would welcome our views on parental choice. Sometimes parents are left with no choice but to go down this route because it is the most affordable option. If we are serious about a quality early childhood care, we cannot ignore this sector in which there are approximately 19,000 paid childminders looking after 50,000 children. There are serious vulnerabilities involved because children are being minded by non-vetted people. If we are serious about having a real quality agenda in future we need to examine that matter.

Before Christmas, the Minister said she would advise us about the new structure for the mentoring scheme. Has a decision been made on the structure of the new mentoring scheme? Can we be sure that there will be national coverage in every county for this scheme?

**Deputy Sandra McLellan:** I thank the Minister and Mr. McKiernan for their presentations. I also welcome the representatives of the Child and Family Agency for its first presentation to this committee. From the Minister's reply to a parliamentary question from Deputy Ó Caoláin,

I noted that the transition has been successful. I want to wish the agency's staff well in the job that has been entrusted to them.

The documentary, *A Breach of Trust*, shocked the nation to the core. It was a wake-up call for all of us and we knew that a number of actions had to be taken to ensure that nothing like this could ever happen again. To prepare for today's meeting, I Googled "A Breach of Trust" last night and read all the headline comments. I will touch on the actions that we were told needed to be taken. The first recommendation was to have more robust inspections. I am glad to see that the Minister has provided €500,000 for this and that eight positions are ready to be filled. When will we have enough inspectors? Following the documentary some crèches sought inspections because they knew they would be put online and wanted to be categorised as good crèches. However, they could not get such inspections and were told that some counties only had one inspector so it would not happen.

The second point was that crèche inspection reports should be put online and I know that that is in train. I wonder, however, if all crèches have been inspected at this stage. If not, how near are we to accomplishing that?

When she introduced the legislation, which we all supported, the Minister covered the registration system which is welcome.

The next item that arose was having better qualified staff, which has also been covered in the legislation. In addition, the question arose about very low-paid workers and the lack of promotional opportunities, yet a lot of these crèches are very profitable. I am not sure how we can address this matter. As we can see, the Minister has done a lot of good work because many of these issues have been addressed.

I welcome the introduction of a new national quality support service for early years' service that is coming in train. The new regulations will be accompanied by national quality standards in the coming months, which is also welcome.

There are huge problems concerning delays in Garda vetting so how can we overcome those delays? The Minister has been doing a good job and she has come a long way in the six months since the launch of this child care initiative. I wish her well with the rest of it.

**Senator Jillian van Turnhout:** In preparation for today's meeting I re-watched "A Breach of Trust" to remind myself of its content. The issues of training, management and culture were absolutely central to what we saw. I welcome the training fund and the mentoring scheme the Minister is proposing. It is really important to have consistency in that respect. Deputy Catherine Byrne asked earlier about people who have been in services for a long time but have not availed of training. If there is a genuine resistance to training, we may reach a critical point. We are putting so much training on offer that the message must go out that we have an expectation that such people will be trained. Ongoing training is required. We have seen many people with 20 years service in child care who have not received training, but that would not be accepted in other professions.

While it is positive to link inspections to registration, I am concerned about ensuring ongoing quality within a child care setting. There are different angles on inspections about which I have concerns. The first is consistency and that people should know what they are being inspected on, so that there is guidance for staff. Anecdotally, I have heard different things from different staff. An inspector may ask one question in one child care setting, but a different ques-

tion in another setting. Inspectors may also ask for things that are not within the remit of the inspections, but everybody wants to be fully compliant. It is important to give staff guidance on what can be expected from an inspection so they can ensure that they reach those qualities.

In addition, parents should know what they can interpret from the reports. The delays in Garda vetting were raised but we know that some services will be rendered non-compliant for something like that which is totally outside their control. Conflicting advice is being given to services, especially concerning how they should handle the confidentiality issue of students and Garda vetting. We therefore need to give clear advice on that issue.

There are also issues arising for different child care settings. When we talk about child care costs everybody thinks it is a great money-making business but it is not, given some of the books I have seen on people's operations. This is certainly the case for those operating the free preschool scheme where the ratios, space and contact hours are set. They do not get paid for non-contact hours. I have heard of inspectors arriving at the end of a child care day at 3.30 p.m. expecting to do their inspection. The setting will therefore have to pay staff for those non-contact hours, even though parents are not paying for that. There is no appreciation of the fact that this is happening.

In addition, capitation is being withdrawn for children who are not in attendance when it is outside the control of the setting. They have provided staff to be there with the expectation that a child will turn up. They cannot know in advance that the child will not turn up or will be brought away. How can we deal with those issues when it is outside the control of the setting? Obviously, there may be times when matters are within the control of the setting but otherwise there are issues, including the shortfall in payments.

People are becoming more professional through training at FETAC level 8 and higher capitation. We want to develop a quality child care workforce but how much can settings afford to pay? This links into our previous discussion about the County Donegal child care report, including how we are investing, who we are investing in, staffing, salary levels, career structure and development.

I have raised the question of childminders several times in the Seanad, so I will not do so again now. We need, however, to re-examine that matter on another day because it is a big issue. I do not accept that we should not interfere in the matter. The Minister referred to Síolta, the national quality framework for early childhood education, and Aistear, the early childhood curriculum framework, and said that the National Council for Curriculum and Assessment or NCCA is examining them. Can she give us a timeline for when the result of that examination can be expected? It will be very much welcomed.

To revert to an earlier point, who will be doing the inspections of child care settings? For example, environmental health officers have a four-year degree qualification, so we also need to examine the quality of the inspections concerned. Within inspections, there must be power in the sanctions and powers for people to improve, such as the improvement notices referred to. It is the carrot and stick approach. The way the food safety notices are done gives good scalability for people to return with 24 hours or two days and we must look at those issues.

**Deputy Ciara Conway:** I thank the Child and Family Agency and the Minister for the presentations. I want to extend some of the points made. When we look back on what was uncovered in the "A Breach of Trust" programme, my big question is how, even with the major changes that are welcome and not before time, a ramped up inspection regime can ensure it

is not happening somewhere else. It is a major concern. We have vacant inspector posts and parts of the country are not being inspected. Even if an inspector is regularly calling to monitor and audit, we saw that paperwork on lunches, tea and how many times nappies were changed was completed at 8.30 a.m. The major question is about management. The Minister has made money available in respect of FETAC in terms of upskilling for child care professionals. What support or training has been offered to management? There were breaches of management, with staff not being supported and procedures not being followed. The only person who pays at the end of it is the child. Children were appallingly treated in the settings revealed.

A number of us have been contacted by the Association of Childhood Professionals. What is the new qualification standard for staff? There is still ambiguity. The Minister referred to FETAC level 5 as the minimum required standard.

Senator van Turnhout also referred to non-contact hours or non-contact time. There is political discussion about policy making and extending the free preschool year for another year. If we got the money, we should have a well resourced one-year programme, where work is planned and reflected on by the workers to ensure a quality service. As it stands, by only paying professionals for contact hours none of the planning can be done in an adequate way. If we are to follow a curriculum such as HighScope, which involves engaging with children on their interests, reflect on it and change their surroundings on a daily or weekly basis to plan and implement the work, how can this happen if they are not being paid for non-contact hours?

Aistear extends from preschool up to junior infants and senior infants. It is a bridging programme and it is really good that there is continuity and consistency. Who is inspecting after-school care services? Children of four and five years of age in junior infants are availing of after-care services. There is only a couple of weeks in the difference between preschool and after-school care and no one is regulating the sector. I do not want to be here in six months time with another "A Breach of Trust" programme having examined after-school services. The Aistear programme goes from the preschool to the primary school level but after-school care seems to be an afterthought. I would like to know more about what we are doing.

**Deputy Frances Fitzgerald:** A number of schemes have been highlighted by Deputies and the Senator. With regard to inspectors, the important thing was to have the money to recruit inspectors, which the Government has provided, and to get the recruitment process in place and to have a panel to ensure vacancies can be filled and development of the service can take place. I ask Mr. McKiernan to give an update on where it is at and the timeframe.

**Mr. Gerry McKiernan:** There were two rounds of interviews for inspectors to fill the vacancies that exist across the system in October and November and in January. Preferred candidates have been chosen for each location. They are being deployed as we speak. I acknowledge the priority given to this recruitment by the national recruitment service of the HSE. Panels have been formed from which any new posts can be filled. The new posts will be deployed to areas where they are most needed. We are doing assessment of the overall capacity required. Where there is a higher incidence of providers, there is a greater need for an enhanced inspection capacity in those locations.

In terms of the number of inspections carried out in 2013, the figure is 2,432, representing 52% of all inspections of services carried out. We received more than 300 complaints and eight prosecutions were instituted. We are open for business in respect of complaints, referrals, or requests for advice and information because it is critical, even in the current circumstances, that parents, providers and staff can have confidence we will respond to issues referred to

us and queries that need clarification. A comprehensive information programme was devised comprehensive and rolled out by Fiona McDonnell to the providers. They have been given a lot of information, advice and support and clarification on what is coming down the line in the legislative provisions. Providers have been corresponded with alerting them to the new arrangements in 2014 as the legislation is enacted. I emphasise that we are open and want to hear from parents and the public about any matters of concern.

Where complaints are received, an immediate risk assessment is undertaken because complaints vary in scale of seriousness. The most serious are prioritised for immediate investigation on whatever action may be required to follow. When will we ever have an appropriate coverage in terms of inspection capacity? Some might say that we will never have it but the approach we are taking is on the basis of determining where the greatest needs arise and, at a minimum, the entire country must be covered and that is the approach under way.

In respect of the inspections deficit as a result of vacancies, there is still the capacity to deploy staff from neighbouring areas to address issues that arise on any given day. That has been happening since the “A Breach of Trust” programme and it will continue to be the case until we have national coverage.

**Deputy Frances Fitzgerald:** A question was asked about public health nurses and it may be useful to hear about the situation.

**Mr. Gerry McKiernan:** The inspection function was determined many years ago when the preschool inspection service was being developed. A Labour Court determination and decision prescribed that the grade and function of inspector be at the level of assistant director of public health nursing. In the run-up to the establishment of the Child and Family Agency and in preparation for its establishment, the children and family services in the HSE conducted a wide scale consultation and negotiation with representatives of staff at all levels, IMPACT trade union, SIPTU and the INMO, which represents the predominance of inspection staff. I am happy to report that we concluded discussions satisfactorily, with agreement on many outstanding issues of a technical nature. Some may say they were minor but they all needed to be concluded in the interests of a consistent approach under the remit of the agency. The public health nursing input to inspection is predominant but it is not exclusive, and there are some inspectors who hold other qualifications. As the Minister has mentioned, the inspection capacity is enhanced, supplemented and supported by inputs from environmental health personnel as well. Their deployment varies across the country.

**Deputy Ciara Conway:** I thank Mr. McKiernan for that information, as this question has been asked a lot. My concern regarding the inspectorate regime and public health nursing is that staff come at this from a public health perspective, as do environmental health officers. For example, in a particular preschool there is a carpet, as opposed to a hard covering, in order to show children different textures and sensations, which is very important to a child’s development. The facility was asked to remove the carpet because it posed a risk as a result of dust and dirt, etc., despite the fact that it was clean. This is a very obvious public health and environmental approach to a facility as opposed to considering a child’s development and learning. I am concerned about that sort of approach being taken. That is not to say skills cannot be acquired or training cannot be provided. I am concerned about the nature of the guidelines being followed, which arise from a public health or environmental perspective rather than accounting for children’s development.

**Mr. Gerry McKiernan:** The public health perspective is not to be diminished.

**Deputy Ciara Conway:** I am not saying that, but it should not come at the cost of child development.

**Mr. Gerry McKiernan:** If there is a risk of infection or an eventuality affecting the safety and well-being of a child, such issues must be kept in mind. The staff currently deployed as inspectors are well qualified and from professional backgrounds. They are nurses and environmental health personnel. We are discussing with the Department and the Minister the focus on the key areas of inspection that must be targeted. We are considering what specialties, as appropriate, should be available in terms of inspector capacity to address in particular the care considerations for children in preschool or early years settings. Those professionals have a perspective from training, clinical experience and practice with regard to early years development and what constitutes good care practice for children in all settings.

I take the Deputy's point on the need to keep that under review. There is also the implementation of new statutory and regulatory requirements and a key focus must be maintained on training, upskilling and enhancing the capacity of the current cohort. We need to keep an open mind on where we go with further developments in this regard. We are open to consideration in that regard.

**Deputy Ciara Conway:** Will the posts only be filled by public health nurses?

**Mr. Gerry McKiernan:** The staff recruited recently and chosen for positions have public health nursing qualifications.

**Deputy Ciara Conway:** There have been no other professions?

**Ms Fiona McDonnell:** I have concerns about the Deputy's point regarding the request to remove a carpet. Our core inspectors are assistant directors or public health nursing. Our current inspector assistant directors took eight years to get to that level and in addition there is a requirement for five years' experience. That means that 13 years is required of public health nurses before they can apply for inspection. Public health nursing has a qualification in and a major understanding of child development. It would very much look at the care, welfare and development of the child within services. Regulation five specifically deals with it in considering supports for child development. Sometimes there is a misunderstanding with regard to the quality frameworks and inspection services. The threshold required for Aistear and Síolta is much higher than is currently required within the regulations and specifically regulation five. We are very satisfied that we inspect in accordance with current regulations.

With regard to the safety aspect of the question about the carpet, when we examine registration within the new regime and the move to standards-based inspections, it is important that we consider the premises, facilities, lighting, ventilation and similar issues at the beginning. The core component of inspection will be examination of the care of children, their experience, available play, suitability of staff and so forth. The big difficulty is the numerous regulations and requirements within the legislation. With registration and standards-based inspections we welcome the different stages in which we will be able to view the issues and give essential time to them. The interaction and childhood experience within services is where our attention will go.

**Deputy Frances Fitzgerald:** That is an important point regarding registration. It is in the legislation now, which means that many of the issues concerning basic standards must be dealt with before the work is even begun. I support the point about public health nurses, the expe-

rience they have with regard to child development and their ability to consider the quality of experience for a child. Equally, I am open to other people being recruited. There is a Labour Court recommendation and there will be a process of negotiation and discussion. I am open to seeing where we can go in that regard as people with different qualifications could be used for inspections. The industrial relations process must be followed, nevertheless.

Deputy Conway raised a question that is worth focusing on when she asked how we can be sure about what is going on in child care services. How can we be sure what is going on in primary schools? We can be sure because of a range of factors and it is obviously not just inspection that brings about quality in primary school. There is a range of qualifications demanded of teachers and management, there are processes that are in place, and there is the relationship between parents and teachers and the involvement of a board of management. It is the very same with preschool, and there should be a range of factors. We are looking to ensure that each element is developed with the preschool and early years sector in mind.

We could install video cameras and we could see how things progress but it would not necessarily be best for the child. It is more about training, support and mentoring that staff get. If staff misbehave with children on any video, elements such as recruitment, qualification, supervision and management come into play. We must address those areas if we are to be sure about the quality of care that a child is getting. The issue is multifaceted and not simply about inspection, so it would be wrong to think that dealing with the inspection area will resolve the kinds of issue portrayed on the “Prime Time” programme. Although it will not do so, it is still a key factor. A budget for recruitment of inspectors and development of that group is very important, and the process is under way. There is also development in other areas.

I will ask Ms McLoughlin to comment on a number of other themes regarding qualifications, training and mentoring.

**Ms Mary McLoughlin:** It is not that *Siolta* and *Aistear* will go away, and they are very valid documents. We hope the first mentors will be in place and starting to work with community child care services by September, and the practice toolkit will be in place by then. Work has started and people have been recruited from the sector to help with the work. Deputy Conway mentioned how this applies to children from birth to six years. In the legislation that went through before Christmas, we included the power to inspect after-school facilities. We have to go through a process. Children in after-school facilities are not the same as babies or toddlers in care. There is a lot of work to be done and we must have a major consultation on it. We are doing the initial work on it. I am not sure that *Aistear* of itself will be part of after-school services. We want people to focus very much on play. While the overall themes of *Aistear* might be desirable, I do not think we would see after-school services as being curriculum-based in quite the same way. While there might be connections, I do not think it would be quite the same thing.

In terms of a high-quality service, we are working at the moment with the city and county child care committees, CCCs, and the voluntary organisations. The Minister mentioned that earlier. The priority is to ensure that we have a national quality support service and not a small number of mentors who are only accessible to some people. At the moment the CCCs in particular provide a huge amount of local support in terms of training and active support for services. They visit services. We need to make sure we do not lose that and that what mentors do is both supported by and in turn supports the work of the CCCs and also the voluntary organisations. We hope that within three or four weeks the Minister might be able to make a statement about the overall quality of the service rather than just mentoring *per se*.

The learner fund and the training programme were raised. There has been some delay and it is the intention that any eligible training provider would be able to apply to provide the training. We would like all of the work to be done online. A process is required in order to build the system. We expect the system to be open for applications in mid-March for anybody who needs to be upgraded to FETAC Level 5 – I assure Deputy Conway that it is level 5 – and the team leaders in the free preschool year will move from level five to level six. We are getting a lot of queries. The situation remains the same for anybody who has already been told that their qualification is equivalent to one of those levels for any other purpose by the Department.

We are dealing with childminding in the context of the strategy. The Minister said this morning that we put €10 million over ten years into the childminding advisory officers with a very specific purpose of getting them to voluntarily notify. They were offered a €15,000 income limit but they did not voluntarily notify. The issue is how we bring them on board. The suggestion has been made that we would include them in the schemes, but that is not always going to be effective. It is not as simple as taking the regulations and applying them. There is a lot of work to be done.

In most countries, certainly in the European countries with which we work at the moment, childminders are generally outside the sector. Very few countries are like Scotland, where childminders come within the system. It is apparent in the European group of which we are a member that it is an ongoing problem for many countries. Childminders are a very important resource but the CCCs do provide ongoing training and supports and they engage them in the networks. Grants are available which go through the CCCs. There is a lot of liaison with childminders and a lot of work with them but there is a lot of work to be done on how we make them part of a formal setting because there is much indication that it is not where they want to be. It is an issue we have to resolve.

**Deputy Frances Fitzgerald:** On the question of vetting, the Government has put 40 extra staff into the vetting centre in Thurles. I understand that in this area the waiting time is approximately six weeks but it can take up to ten weeks. That is an ongoing issue. An extra 40 staff are employed in the area.

The Minister is examining the legislation. Some people have suggested that a passport, as it were, could be used across sectors. There are concerns that people could slip through the net if we move to such a system but the legislation is being examined at present to see what changes could be made that would facilitate a more streamlined approach.

On the issue of the colleges, my Department is meeting with the Data Protection Commissioner. There has been contact and the agency has been in discussions. Perhaps Ms McDonnell will say more on the issue.

**Ms Fiona McDonnell:** The issue with regard to colleges is that under Part 2 of Article 8 of the regulations all prospective staff and students are required to have Garda vetting prior to being allowed within services. The issue raised by the Data Protection Commissioner is that for the purpose obtained the Garda vetting information should be destroyed within 12 months and that a note be put on file. The Data Protection Commissioner says that the umbrella organisations for students and the colleges should not make the vet available to the student even if consent is given by the student. The difficulty is that the provider has the responsibility to ensure that the Garda vetting is in place, not the colleges or the umbrella organisations. That is the huge difficulty.

Under the preschool regulations the colleges are not identified as the responsible person to make a determination of standards of vetting that have been applied to the student. The responsibility lies with the provider. What we require on inspection is that the Garda vetting of the applicant is available. We look at the Garda vetting to examine if there are any gaps in the history of where the individual being vetted said they lived or were resident. We have found gaps that are not in compliance with the Garda vetting.

The original Garda vetting gives us comparisons in terms of the name and other details. We have found a lot of information when we look for differences even with a verified copy from the colleges, which we then need to address. At the end of the day the safety and protection of children is paramount. Our meeting is next week and there is plenty of scope for finding a solution between us. I hope we will have a solution in the very near future on the issue.

**Chairman:** I thank Ms McDonnell. I ask members to be very brief because we have been here since 9.30 a.m.

**Senator Jillian van Turnhout:** I know. I have been present. I did signal my intention earlier. Could we get a copy of the information that has been sent to providers on inspections? That would be really useful for us as members. Mr. McKiernan mentioned that.

With regard to the vetting, perhaps there is another way to look at it. There are authorised signatories, as in Barnardos and Early Childhood Ireland. Having experience with the Girl Guides I wonder whether there is a possibility of their somehow verifying students. We must examine the legislation and how it is being interpreted. I recently wanted to talk in a school and the principal said I needed Garda vetting.

**Chairman:** To visit a school?

**Senator Jillian van Turnhout:** Yes, but do not worry, Chairman; I was able to supply it.

**Chairman:** That is ridiculous.

**Senator Jillian van Turnhout:** There is an interpretation of what Garda vetting actually is. For me, reference checking is more important at times. Garda vetting only tells one about convictions.

**Deputy Frances Fitzgerald:** The Department has had discussions with the Data Protection Commissioner. We are looking at a range of potential solutions to the issue. A formal meeting will be held next week and I hope that at that stage we will have some options for dealing with the issue. It is complicated from a legislative point of view. I hope we will make progress next week.

**Deputy Robert Troy:** I read the reply to the Minister, Deputy Fitzgerald, from the Minister for Justice and Equality, Deputy Shatter, on the issue. As the person responsible he felt no issue arose. I welcome the fact that we will receive clarity in a week's time because that is extremely important.

I seek clarity on two other points. I welcome the news the Minister brought into the public domain, namely, that because of the Labour Court's decision, in future the position of inspector will be restricted to public health nurses. During Question Time the Minister even said she would like to see it broadened out.

Mr. McKiernan complimented the HSE on the speedy recruitment process of six months.

I would not regard that as speedy, nor do I think anyone in the private sector would regard it as speedy. It was disappointing that someone let the situation arise in which the positions remained unfilled for a period. Reference was made to transparency and accountability. Who let the positions remain unfilled up to now, which meant there were no inspectors for certain regions of the country for up to 18 months? The question must be answered.

**Deputy Frances Fitzgerald:** On who can be an inspector, what I have said is that I would like to see it opening up. Obviously, it is changed by negotiation. That is what will happen. The first thing is to say one wants it changed. While I have great faith in public health nurses, opening up the inspectorates would potentially be useful. Given the previous Labour Court decisions, it would be by negotiation.

Public sector and private sector recruitment are different processes. Public sector recruitment has timelines and guidelines and it has to be an open process. This is broader than simply recruiting inspectors. It is about public sector recruitment. As I said, the Government gave the budget, and the Child and Family Agency, previously the HSE, has got on with it. The interviews have been held and the inspectors will be in place shortly. There will be a panel. That is what is important.

**Chairman:** I thank Ms McLoughlin, Mr. McKiernan, Ms McDonnell and Mr. Corcoran for being here, and especially the Minister. I thank committee members and those in the Gallery. I particularly thank our friends from Donegal who travelled to Dublin to be here.

The joint committee adjourned at 11.10 p.m. until 4.15 p.m. on Tuesday, 25 February 2014.