



Childminding: Regulation and recognition

Nearly 50,000 young children are cared for by childminders every day, but most of their 19,000 childminders remain exempt from regulation and operate without supervision or support. Only 1% of paid childminders are currently subject to inspection.

For young children's safety and development, the Government must act now to regulate childminders. The reforms we propose are affordable, and are achievable within 5 years.

50,000 young children

There is little data on the extent of childminding in Ireland – which reflects childminders' position at the margins of the early years sector – but we know the numbers are large. Recent estimates suggest nearly 50,000 young children in Ireland have a childminder.¹

That means that approximately 19,000 paid, non-relative childminders care for young children every day. As the majority are exempt from notifying the HSE, the figure is just an estimate. What's certain is that very few are regulated:

- At the end of 2011, there were 257 childminders notified to the HSE and therefore subject to the Pre-School Regulations and to the HSE inspection process.² That's just over 1% of all paid, non-relative childminders in Ireland.
- In addition, 1,250 childminders – about 6% of the total – were 'voluntarily notified' to the City / County Childcare Committees at the end of 2011. The conditions of voluntary notification vary, but in no case do they involve inspection.

Few childminders have relevant formal qualifications.³ About 6,500 childminders have completed the Quality Awareness Programme (QAP) training course since it was launched in 2004.⁴ Though a significant number, this is still a minority, and some no longer work as

childminders. Furthermore, the QAP is only a 10-hour, introductory course.

Exemptions

The Child Care Act 1991 (s. 58) exempts three categories of carer of pre-school children from regulation: (a) a relative of the child or the spouse of a relative; (b) anybody who is caring only for children from one family, in addition to their own children; and (c) anybody caring for 3 or fewer pre-school children of different families.

These exemptions cover the majority of paid childminders. In relation to exemption (c) alone, 53% of members of Childminding Ireland care for 3 or fewer children.⁵ In addition, a significant proportion of childminders care for both pre-school and school-age children, and the care of school-age children is not regulated at all.

Informal economy

A large proportion of childminders work outside the formal economy. Reasons may include fear of the inspection process, and lack of awareness of the benefits of regulation. There are also significant financial barriers to entering the formal economy, in spite of the Childcare Services Relief tax exemption for childminders who earn less than €15,000 p.a.

¹ Estimates by Goodbody Economic Consultants (*Children 2020: Cost-Benefit Analysis*, 2011, p.50), prepared on behalf of Start Strong, using CSO data for paid, non-relative childminders (CSO, 2009, *Quarterly National Household Survey: Special Module, Childcare*, Quarter 4, 2007, p.4).

² Data on notifications and voluntary notifications supplied by Pobal.

³ In Childminding Ireland's latest members' survey, 20% of members said they were qualified to FETAC level 5. The national figure is likely to be less, as qualified childminders are more likely to join a professional body such as Childminding Ireland.

⁴ Data supplied by Pobal.

⁵ Childminding Ireland (2012) *Report on Survey of Registered Members in 2011*, p.7

Reasons for regulation

To protect children

- **In the homes of childminders.**⁶ Childminders care for young children in their homes often for long hours, without any supervision or support. It is unacceptable that most childminders are exempt from inspection, child protection training or even Garda vetting.
- **In their daily lives.** As individuals who have close and frequent contact with young children and their families, childminders are well-placed to identify concerns around children's welfare in their daily lives outside the childminder's home.

To raise quality standards

- **Through inspection.** Without inspection, families have no assurance that childminders meet basic quality standards. While the inspection system itself needs reform to reflect a broader understanding of quality and to ensure inspection is appropriate to a home setting, it is essential nevertheless that all paid childminders are subject to inspection.
- **Through positive supports.** Bringing childminders into the regulatory framework opens up wider opportunities to raise quality standards through training, supports, childminder networks, development grants, and the incentive for childminders to take part in public funding schemes when they meet quality standards.
- **Through recognition of their role.** Childminders have long had low status among early care and education settings. Regulation would enhance childminders' professional standing. In turn, higher status would help to recruit and retain high quality childminders within the profession.

To offer a wider range of service options

- **Early years services.** Regulation would give families a real choice of setting for their children's early care and education, with regulated services available in both home-based and centre-based settings.
- **Family support services.** As one of a range of prevention and early intervention tools to support families, childminders who have met quality standards can provide temporary support for families going through periods of difficulty, such as post-natal depression or a family crisis, as is done in the Community Childminding Scheme in Scotland.⁷

Evaluation

There has been only one published evaluation to date of childminding policy in Ireland. Carried out by Dr Mary Daly on behalf of the Waterford City and County Childcare Committees and the HSE South in 2010, the evaluation called for a registration system for all childcare services including childminders, the removal of exemptions in the 1991 Act, and reform of the inspection system to ensure its appropriateness for childminding settings.⁸

⁶ This policy brief is concerned only with childminders who work in their own homes. Though the situation of nannies who work in the child's home is also important, different legal issues arise.

⁷ C. Stephen and S. Minty (2011) *Review of SCMA Community Childminding and Working for Families Services*, University of Stirling.

⁸ Dr M. Daly (2010) *An Evaluation of the Impact of the National Childminding Initiative on the Quality of Childminding in Waterford City and County*, Waterford City and County Childcare Committees and HSE South.



International evidence

Quality matters in *all* settings

Children in home-based care and education settings should receive the same protection and support as children in centre-based care and education settings. The principle that quality matters in all settings is backed by international research on outcomes for children:

- Research evidence shows that the quality of interactions between adults and children is critical to the positive impact of early care and education in *all* settings – in children’s own homes, with childminders, and in centre-based services.⁹
- In all settings outside the home - both childminding and centre-based services - quality depends above all on the professional skills of early years educators.¹⁰
- Below the age of 2, and particularly below the age of 1, there is some evidence that long hours in centre-based services of low quality can be harmful to children.¹¹

Regulation works

Scotland provides a good example of the benefits of requiring the registration and inspection of all childminders. The impact of Scotland’s childminding policy (see box) is significant:

- A much larger number of childminders are registered in Scotland than in Ireland. Ireland has just 257 notified childminders, compared to Scotland’s 6,000 registered childminders – in a country with a similar population (5.2 million, compared to 4.6 million in Ireland).
- Quality standards among childminders in Scotland are high. The Care Inspectorate (the independent regulator of all social care services in Scotland) publishes all its inspection reports, including reports on every childminder. An analysis of recent inspections found that 31% of registered childminders achieved Grades 5 or 6 (the top grades) on every aspect of the inspection, compared to 21% of centre-based care and education services.¹²

Childminding policy in Scotland

- Scotland has a registration system - not a notification system - for all early years services, including childminders.
- No childminder is exempt. Anybody who looks after one or more children under 16 for reward must register if they do so for more than two hours a day on six or more days a year.
- Registration requirements include personal references, police checks on the potential childminder and every other adult in their household, inspection of their home to ensure it’s safe and suitable, and public liability insurance.
- The regulation and inspection framework for childminders is the same as for centre-based services, though it is applied in a proportionate manner to reflect the home environment.
- As a result of positive reports in inspections, the frequency of inspections has been reduced for the majority of childminders.
- Community Childminding schemes operate in some parts of Scotland, in which childminders are used by family support services as a prevention and early intervention tool to provide temporary support for families going through periods of difficulty, such as post-natal depression or a family crisis.

⁹ National Research Council and Institute of Medicine (2000) *From Neurons to Neighborhoods: The Science of Early Childhood Development*, Jack Shonkoff and Deborah Phillips (eds.), Washington, DC: National Academy Press.

¹⁰ E. Melhuish (2004) *A Literature Review of the Impact of Early Years Provision on Young Children, with Emphasis given to Children from Disadvantaged Backgrounds*, London: National Audit Office, p.5.

¹¹ Marmot Review (2010) *Fair Society, Healthy Lives: The Strategic Review of Health Inequalities in England Post-2010*, p.98; E. Melhuish (2010) ‘Why children, parents and home learning are important’, in K. Sylva et al., *Early Childhood Matters: Evidence from the Effective Pre-School and Primary Education Project*, Abingdon: Routledge, p.55.

¹² Scottish Commission for the Regulation of Care (2011) *Improving the Quality of Care in Scotland: An Overview of Care Commission Findings, 2002 to 2010*, pp.149 and 156.

Recommendations

The actions below aim to ensure that, within the first 5 years of a National Early Years Strategy, the level of protection and quality requirements are as high in childminding as in centre-based services. To achieve this, regulation must be accompanied by positive supports and by public awareness-raising so that childminders and parents expect regulation as the norm.

Given the scale of change involved, we recommend a transition phase *before* the removal of exemptions in the Child Care Act 1991, to encourage and support childminders to take part in the new regulatory system.

Full, proportionate regulation

1. All paid childminders

Amend the Child Care Act 1991, s. 58, to ensure that all paid childminders are subject to regulation and inspection.

2. Child protection legislation

Ensure that child protection legislation (both Children First legislation and the National Vetting Bureau bill), expected to come before the Oireachtas shortly, includes paid childminders.¹³

3. Registration

Move from the current notification system to a registration system for all early years services, including childminders, involving: explicit approval before a service can operate; clear requirements in advance of registration; and a deregistration process in the event of failure to meet standards.

4. Registration requirements

Make registration requirements for childminders equivalent to those for centre-based services, while reflecting the fact that childminders are self-employed individuals working in the home. Requirements for childminders should include:

- Garda vetting for the childminder *and* for every adult in their household.
- An initial home visit to anybody wishing to become a childminder.
- First Aid training, child protection training, and the Quality Awareness Programme.
- Public liability insurance.
- Registration with the Revenue Commissioners as self-employed.
- Participation in regular Continuing Professional Development following registration.

5. Proportionate inspections

Review the Pre-School Regulations and the inspection process to ensure they are proportionate and appropriate to the home environment that childminders work in.

Recognition and support

6. Supports and training

For registration requirements to be achievable, ensure relevant supports and training are not only widely available, but accessible for childminders given their working hours, and affordable to them. Support Continuing Professional Development through participation in childminder networks.¹⁴

7. Access to public funding schemes

Open funding schemes such as CETS to childminders who meet contractual and quality requirements equivalent to those for centre-based services. Retain financial supports such as the Childminder Development Grant but make them conditional on registration.

8. Public information

Carry out public information initiatives to encourage childminders to register, and to encourage parents to use registered childminders.

¹³ Start Strong (2012) *Submission on Heads and General Scheme, Children First Bill*.

¹⁴ Research in England points to significant benefits in terms of training, professionalism and retention when childminders participate in quality improvement networks that are supported by experienced coordinators. National Children's Bureau (2005) *Children Come First: The Role of Approved Childminding Networks in Changing Practice*.



Basement,
33, Merrion Street Upper,
Dublin 2.

Tel (01) 6624018
Fax (01) 6624378
Email info@startstrong.ie

www.startstrong.ie

facebook.com/StartStrongIreland
twitter.com/StartStrongIrl

Start Strong is a coalition of organisations and individuals committed to advancing high quality care and education for all young children in Ireland.

Start Strong is supported by the Community Foundation for Ireland, the Katharine Howard Foundation and The Atlantic Philanthropies

