

Start Strong welcomes the opportunity to discuss issues arising from the Prime Time investigation, *A Breach of Trust*, with members of the Joint Oireachtas Committee on Health and Children.

Start Strong is a coalition of more than 50 organisations seeking to advance children's early care and education in Ireland.

Start Strong works from a children's rights perspective. Asserting the rights of young children means putting children's interests first in early years policies, especially through prioritising the quality of children's experiences, and through focusing on outcomes for children. And it means that every child matters, regardless of who they are, how old they are, or what setting they are in.

A Breach of Trust

The abusive way children were treated in the crèches shown in the Prime Time investigation was deeply distressing. The programme also revealed disturbing figures that showed widespread breaches of regulations, insufficient inspections, and a lack of follow-through on non-compliance.

High quality early care and education can be hugely beneficial for children, and we know that there is much good practice in services across Ireland. However, it is clear that there is also bad practice, which – as Prime Time showed – can be harmful to children.

While the footage in the Prime Time programme showed individual cases, the causes and the risks are systemic. Taking our early care and education system as a whole, quality is variable, and the lack of assurance is unacceptable.

It is essential that the Prime Time investigation is a catalyst for change.

The forthcoming National Early Years Strategy offers the Government the opportunity to draw up plans for major reforms to staff training, the regulatory system, the use of public funds, and legal exemptions from regulation.

In Start Strong's submission (*Shaping the*

*Future*¹) on the National Early Years Strategy, our central recommendation was that the Strategy's core objective should be to ensure that no child is in a low quality service.

Staff training

Quality in early care and education lies above all in the interactions between adults and children. Those interactions must be positive, warm and nurturing – supporting both children's well-being and their development. The interactions shown on *A Breach of Trust* were the opposite of that.

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 reduce staff turnover to a low level and to reward staff for the investment they make in their education and training.

The weaknesses of our workforce development policies are seen at all levels: not only in low qualification levels of those working directly with children, but also in management, training systems, wages and staff turnover:

- There are no minimum qualification requirements for staff working with children under-3s, or for those in management roles.
- The only minimum qualification is at a low level (FETAC Level 5) and applies to leaders in the Free Pre-School Year.
- 24% of staff in services have not yet achieved FETAC Level 5.²
- The proportion of graduates is around 10% – well below the 60% benchmark recommended at European level.
- Much of the training (e.g. in further education colleges) is carried out by staff who are not qualified in early care and education.
- There is no provision for paid non-contact time to allow for planning, training, continuing professional development, or for reflection on practice at a team level.
- Wages are low, with few career development opportunities. Wages for graduates (average €11.24 per hour) are barely higher than for

¹ Start Strong (April 2013) *Shaping the Future*.

² Pobal (2012) *Annual Survey of the Early Years Sector 2011*, Pobal: Dublin, p.34.

- unqualified staff (average €10.10 per hour).³
- There is no plan for the implementation of the *Síolta* National Quality Framework (published in 2006), or the *Aistear* curriculum framework (published in 2009). The *Síolta* Quality Assurance Programme remains a pilot and has been limited to a small number of settings. The roll-out of *Aistear* has been even more limited and is largely confined to the infant classes of primary schools.

At root, 'childcare' is a low-status occupation that is seen as appropriate employment for unskilled and unqualified workers, in spite of the importance of early childhood in children's development.

The Workforce Development Plan published in 2010, is modest in scope, given the lack of resources allocated for its implementation by the Government.⁴ It aims to standardise training for early childhood educators, and to promote flexible delivery of training.

However, there is no commitment in the Workforce Development Plan to raise qualification levels through raising minimum standards, through easing the financial burden of training, or through incentivising higher qualifications.

Recommendations

- *Extend minimum qualification requirements* to all ages within early care and education services, not just the Free Pre-School Year.
- *Introduce a register of qualified early childhood professionals* who have achieved minimum qualification standards, have Garda vetting, and are meeting CPD requirements.
- *Transition to a graduate workforce.* Incrementally increase qualification requirements and supports for upskilling, with the aim of achieving the European benchmark of a 60% graduate workforce,
- *Introduce qualification requirements for those in management or supervisory positions*, and ensure that no room in a service is led by an unqualified staff member.
- *Introduce a training fund*, to enable all staff to achieve a minimum qualification requirement, and to support the transition to a graduate-led workforce.

³ Early Childhood Ireland (2012) *Early Childhood Ireland Salary Survey 2012*.

⁴ Department of Education and Skills (2010) *A Workforce Development Plan for the Early Childhood Care and Education Sector in Ireland*, DES: Dublin.

- *Develop an implementation plan for the full national roll-out of both Síolta and Aistear*, to all services, through both training and mentoring.
- *CPD and non-contact time.* Introduce requirements for continuing professional development, and for paid non-contact time.
- *Train the trainers.* Require those who provide training to be appropriately qualified.
- *Examine mechanisms for introducing salary scales*, to incentivise higher qualifications and to reduce staff turnover.

Regulatory system

A major feature of the Prime Time investigation was evidence of widespread breaches of regulations, lack of follow-through, and the limitations of the inspection system.

In the wake of the programme, it has been rightly pointed out that the inspection system is only part of the problem. Ultimately it is the skills and competences of those working in the sector that will ensure quality.

Nevertheless, there is no doubt that the current regulatory system has significant limitations:

- Most of the Pre-School Regulations are concerned with minimum standards and with 'structural' dimensions of quality, such as adult-child ratios, and health and safety requirements. While Regulation 5 does address a broader concept of quality – referring to children's experiences, activities and interactions – the scope of the Regulations is limited.
- Those who carry out inspections are Public Health Nurses and Environmental Health Officers. They are not required to be trained or qualified in early childhood care and education.
- The moratorium on public service recruitment has limited the effective coverage of the inspectorate.
- Inspection reports have not yet been published.

In part because of the limitations of the regulatory system, and also because of the limited development of wider systems for monitoring and evaluation, there is little data on the quality of early care and education services in Ireland.

Much of the evidence we rely on is anecdotal. Both the anecdotal evidence and those



indicators that we do have – in particular those relating to staff qualifications – suggest quality is very variable.

The lack of information on quality and the lack of transparency in the inspection system have made it particularly hard for parents to make informed decisions on their childcare arrangements.

Recommendations

- *Carry out an audit of quality* in the short-term, through examining practice in early care and education settings, to identify weakness that need addressing and to provide a baseline for monitoring progress. The audit should reflect a broad understanding of quality.
- *Review the regulatory framework* to ensure that the Regulations, the Siolta national quality framework and the Aistear curriculum framework are interconnected, with shared language and concepts, and that they are implemented in conjunction with one another.
- *Broaden the composition of inspection teams* to include inspectors who are trained and qualified in early childhood care and education.
- *Strengthen sanctions for non-compliance*, including the imposition of fines.
- *Ratios*. The 1:11 adult/child ratio introduced in 2012 for the Free Pre-School Year should be returned to the previous 1:10 ratio, and there should be no further worsening in minimum adult/child ratios.
- *Publish inspection reports*, including at least the most recent inspection report for every service.

Use of public funds

Another aspect of the Prime Time investigation that has rightly raised concern is the way public funds flow into childcare services with minimal regard to quality.

Clearly there is a concern in relation to the lack of financial sanctions for low levels of quality, but we are also not taking full advantage of the opportunity to use public funding to create positive incentives for higher quality levels.

- The quality bar for public funding is too low. It is only as a result of successful prosecution in the courts that public funds

are withdrawn, and even that does not always stop the funding.

- There are very few quality-raising incentives built into the three main funding programmes for childcare services (the Free Pre-School Year, the Community Childcare Subvention, and the Childcare Employment and Training Support scheme). One positive exception is a slightly higher capitation grant in the Free Pre-School Year for services with a graduate leader, but there is no requirement that the higher capitation grant should lead to a higher wage for the graduate.

Public funding offers the Government a lever through which it can influence the quality of services provided by independent operators, whether in the private sector or the community sector. And it is a powerful lever, as many services are financially reliant on public funds, especially the Free Pre-School Year.

New Zealand, which has a similar mix of private and community provision to Ireland, has taken the step of linking the level of public funding to quality indicators (such as the proportion of graduates) – and to the cost of achieving quality.

Salaries for qualified graduates working in early care and education services in New Zealand match salaries for primary school teachers, and services are incentivised to employ graduates through higher rates of funding.

The results are impressive. Between 2004 and 2011, the proportion of graduates in the early years workforce rose from 37% to 69%, and the New Zealand Government now has a target of 80% graduates. (In Ireland the proportion is currently around 10%.)

Recommendations

- *Mechanism to withdraw public funding*. While the contract for participation in the Free Pre-School Year already refers to the need for a 'satisfactory level of compliance' with the Regulations, mechanisms should be developed to ensure that low quality standards result in a credible threat to withdraw public funding unless standards are raised within a given time-frame.
- *Incentivise higher quality*. Re-design the contracts for both current and future public funding schemes – including a second Free Pre-School Year – to incentivise services to improve quality. For example, build on the higher capitation grant to further incentivise



services to employ graduates and to reward higher qualifications, e.g. through adherence to agreed salary scales.

Legal exemptions from regulation

While the Prime Time investigation focused on failings in centre-based services for pre-school children and in the regulatory system for those services, it remains the case that there is no regulation or inspection of school-age childcare or of most paid childminders.

These issues may appear to be different from the concerns raised in the Prime Time investigation. However, the absence of regulation means that the risks are in some ways even greater:

- There are 50,000 young children in Ireland being cared for by paid, non-relative childminders working in their own homes. Under current legislation, the large majority of paid childminders in Ireland are legally exempt from regulation and inspection, and receive no supports to promote quality.
- After-school services – which include services for 4 and 5 year olds who are already at primary school – are unregulated. Service provision (a considerable proportion of which is carried out by services that also offer early care and education for pre-school children) is ad hoc, with varying quality.

Recommendations

- *Regulate childminding.* Introduce the regulation of all paid, non-relative childminders, with amendment of the Child Care Act 1991. We recommend a transition phase prior to the removal of legal exemptions to allow for the provision of supports for childminders and to raise awareness of the benefits of regulation for children, for parents and for childminders themselves. Review regulations and the inspection process to ensure they are proportionate and appropriate to the home environment that childminders work in.
- *Regulate school-age childcare.* Introduce the regulation of after-school services, and develop a national after-schools policy that would include quality-raising supports and greater professionalisation of after-school services.

Concluding remarks

The Prime Time investigation, *A Breach of Trust*, must be a watershed in the history of Ireland's early care and education services.

For this to happen, we need both immediate action and an ambitious programme of long-term reform, made possible by significant public investment, and driven by strong leadership:

- *Investment.* The most critical reform is the professionalization of the early years workforce. This will require a large increase in public investment. New Zealand invests more than 1% GDP p.a. in its pre-school services, compared to less than 0.2% GDP in Ireland. That is how New Zealand can afford a fully professionalised workforce and the high quality standards that are regularly recognised in international comparisons.
- *Leadership.* Driving a programme of change will require strong leadership, both at Ministerial level and in the form of a coordinator or champion with cross-departmental responsibility for implementation of the National Early Years Strategy.
- *Public debate.* The Prime Time programme has also opened up an important debate on for-profit and not-for-profit models of service provision. Prime Time revealed high parental fees and significant public funding going to some services that are making substantial profits, while staff are paid low wages and have poor working conditions, and quality standards are too low. At the same time, most childcare in Ireland is not delivered by large chains – much is small-scale and there is a large not-for-profit community sector. Furthermore, there are international models such as in New Zealand, where high quality standards have been achieved through a mixed model of private and community provision. Whatever model we decide upon, it is clear that the Taoiseach was right when he said that we should view childcare not as a business, but as a profession.

Start Strong

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