

Start Strong welcomes the opportunity to make a submission to the Department of Education and Skills in relation to the proposed framework for Early-Years Education-focused Inspections. Start Strong is a coalition of organisations and individuals seeking to advance high quality early care and education for young children in Ireland.

Start Strong welcomes the increased involvement by the Department of Education and Skills in early care and education, and the decision to introduce education-focused inspections. Start Strong very much supports the decision to recruit inspectors who are qualified in early years and who have significant early years experience, which is important for ensuring a good understanding of early care and education within the inspectorate, and also as part of the wider process of developing career development pathways within the early years profession. However, we have a number of concerns about current plans for the education-focused inspections as set out in the Department's briefing paper.

In this context, we have 4 overarching recommendations:

1. Broaden the Education-focused Inspections to address whole settings, not just the Free Pre-School Year

All early years provision is educational, equally for children aged less than 3 and those over 3. In early childhood, 'care' and 'education' are inseparable, which is why it is standard practice internationally to use the term 'early childhood education and care' (ECEC) for services for children from birth through to 6 years old. The inseparability of care and education is also clearly recognised in Aistear and Síolta, both of which are aimed at all early years provision for children from 0 to 6, and which together form the basis for the quality framework to be used in the Education-focused Inspections. Unfortunately, by limiting the new Education-focused Inspections to just the Free Pre-School Year, the Department of Education and Skills will communicate a clear message that it is only the Free Pre-School Year that the Department regards as educational. This is not the intention of the Department, but it will certainly be the effect.

We recognise that the authority for the Education-focused Inspections will initially lie in public funding contracts, rather than in legislation, but that basis provides an equal rationale for education-focused inspections of provision funded through CCS and TEC, which cover all age ranges of young children. Indeed, the Government should move to link *all* public funding for early years services to the quality of the service.

We also recognise that the new inspections need to start somewhere, and cannot take on the whole early years sector at once. However, once inspectors are going in to a setting, it would be efficient for them to look at the whole setting, not just one age-group, particularly as many aspects of the proposed Quality Framework will require the inspectors to make assessments that relate to the whole setting, including in particular many aspects of both Area 1 (the setting's context, e.g. the atmosphere and organisation, connections with families, connections with the local community) and Area 4 (management and leadership) as well as aspects of other Areas (e.g. indoor and outdoor environments). In all those aspects of the inspection, there would be little or no additional work involved in inspecting the whole setting.

Given the importance of communicating the right messages about the nature of early years education, and of ensuring the new inspectorate is well positioned from the outset, we urge the Department of Education and Skills instead to pilot the Education-focused Inspections on a whole-setting basis, possibly in a slightly smaller number of settings.

2. Roll out Síolta and Aistear nationally, in parallel with the introduction of Education-focused Inspections

Start Strong fully supports the focus of the new inspection framework on Síolta and Aistear, and we believe there should be no delay in introducing the new inspections, but that focus will only be meaningful if the Education-focused Inspections are accompanied by the national rollout of Síolta and Aistear. The rollout of Síolta and Aistear is now therefore an urgent policy priority. Rollout should involve both training and

mentoring, including expansion of initiatives such as Better Start and its use of the Aistear Síolta Practice Guide. As part of the national rollout, we also call on the Department of Education and Skills to take steps to ensure that all early years professional development courses (from Level 5 through to Level 8) are centred on Síolta and Aistear.

3. Merge the DES early years inspections with the Tusla early years inspectorate

We welcome the new Education-focused Inspections in particular as means to address two key limitations of the Tusla inspection process, namely the insufficient focus of the Tusla inspections on the educational aspects of early years provision, and the continued unwillingness of Tusla to recruit staff other than Public Health Nurses, who are not required to be qualified in early care and education. However, the establishment of a parallel inspection process may lead to confusion on roles and is a missed opportunity for reform. We therefore recommend merger of the two inspectorates.

There is clear overlap between the two inspections processes, with Tusla continuing to inspect in relation to Regulation 5 (Health, Welfare and Development of the Child) and Regulation 9 (Behaviour Management), both of which are to a considerable extent concerned with the educational aspect of early years provision. And even if there were not overlap, it would still be important to merge the two inspection teams and processes into a single “care-and-education” inspection. A merger would be efficient and would provide for more comprehensive and wide-ranging inspections.

Such a merger would also fit with international practice. When discussing “process” inspections (inspections that examine issues such as relations between staff and children, the quality of teaching, and implementation of a curricular programme – i.e. inspections like the education-focused ones that are now being introduced), the recent OECD review of monitoring and evaluation systems notes that “inspections rarely focus on processes solely: process inspection is most often combined with an inspection of compliance with regulations (procedural)” (OECD Network on Early Childhood Education and Care, 2013, *Literature Review on Monitoring Quality in Early Childhood Education and Care*, p.9). And the recent European Commission report on a European Quality Framework for early care and education notes – specifically when discussing monitoring and evaluation systems – that “unitary ECEC systems are found to be more effective in terms of the organisation of services and quality assurance, whereas split systems tend to weaken the provision of high quality ECEC, because governance processes are more complicated due to the fragmentation of administrative responsibilities” (European Commission Working Group on Early Childhood Education and Care, *Proposal for Key Principles of a Quality Framework for Early Childhood Education and Care*, p.55).

4. Develop clear procedures for sanctions and for referral mechanisms between the two inspectorates

While the supportive nature of the planned education-focused inspections is positive, it is important that there should also be clear procedures by which sanctions could be threatened – and potentially imposed if responses are not adequate – in the event that quality is found to be poor in a setting. While the Education-focused Inspectors may not yet have a statutory basis, if their authority lies in public funding then at the very least mechanisms should be specified by which they can stop public funding going to a poor-quality setting.

As part of the introduction of such procedures, we recommend that the proposed 5-point rating should be revised to ensure it is clear which rating-levels are unacceptable and require sanctions. The ratings “poor” and “fair” are not clear enough in spelling out whether or not practice fails to meet required standards. We therefore recommend that the lowest rating should be “inadequate” or “unsatisfactory”, and that the second rating-level should be adjusted to make clear whether it is above or below minimum standards.

Also, it is by no means clear that the coordination mechanisms between Tusla and DES that were mentioned in the verbal presentations at the briefing meeting on 26 May will be sufficient to ensure effective referral of settings. In particular, we have a concern as to what the procedures and follow-through will be if, in the course of an Education-focused Inspection, DES inspectors observe practices that they believe would warrant the imposition of sanctions by Tusla, but which DES is not itself empowered to impose, or observe practices that are in breach of the Regulations. Equally it is not clear what procedures will be followed if a Tusla inspector observes practice in a setting that warrants an Education-focused Inspection. There is a need for transparent, two-way referral procedures. (See further comments below.)



Comments on specific aspects of the proposed inspections

Rationale and purpose. Firstly, while the stated Rationale and Purpose are very positive, they should not be limited to just the ECCE (Free Pre-School Year) scheme. As noted above, care and education are inseparable in early childhood: the care and education of children under 3 years 2 months is just as “educational” as the care and education of children over 3 years 2 months. At the very least, even if a decision is taken to concentrate initially on the Free Pre-School Year during the pilot stage, the documentation (including the Rationale and Purpose) should be revised to make clear that the work of the new education-focused inspectors relates to *all* early years provision.

Secondly, “evaluation” should be stated as part of the purpose the inspections. The Education Act 1998 makes clear that the functions of the DES Inspectorate specifically include evaluating the organisation and operation of education settings as well as the quality and effectiveness of education provided. This language should also be used in relation to the role of the inspections in early years settings. The language currently used in the Briefing Paper appears to be less robust (“ascertain”, “identify”, “provide advice”, etc.)

Thirdly, a specific additional objective should be added to the list of purposes: to identify services where concerns about quality should lead to review and possible withdrawal of public funding, and/or referral to Tusla for statutory inspections and the range of statutory sanctions available to Tusla.

Fourthly, we very much welcome the proposal that the inspections will “contribute to the gathering of information at a national level on the quality of pre-school children’s learning experiences and outcomes”. Given the absence of national data on the quality of early years provision in Ireland, it will be important that the DES Inspectorate uses knowledge arising from its inspections to publish national data and evidence on the quality of early years provision, as well as to disseminate examples of good practice.

Focus and principles. We welcome the clear focus on quality, and the stress on the holistic nature of educational development, the importance of children being active agents in their own learning, the importance of interactions between children and practitioners, and the need to support the child’s identity.

Inspection framework. We welcome the basis of the inspection framework in Aistear and Síolta. For Aistear and Síolta to be rolled out nationally, they must become part of the inspection framework. However, their national roll-out must also involve a comprehensive national programme of training and mentoring (see comments above).

Inspection focus. We welcome the focus of the inspections on the quality of the dynamic processes that facilitate children’s learning, given the evidence on the importance of interactions between adults and children in early years settings.

Quality continuum. We recommend that the proposed 5-point rating should be revised to ensure it is clear which rating-levels are unacceptable and require sanctions. The ratings “poor” and “fair” are not clear enough in spelling out whether or not practice fails to meet required standards.

For example, the term “fair” might be interpreted to mean “adequate”, but the definition given (“requires practice to be improved to meet the needs of children”) implies that children’s needs are not being met, which suggests that practice is “inadequate”. Clarity on whether the different ratings are adequate or inadequate is important in providing a basis for the introduction of sanctions (e.g. withdrawal of public funding) where minimum standards are not met. We therefore recommend that the lowest rating should be “inadequate” or “unsatisfactory”, and that the second rating-level should be adjusted to make clear whether it is above or below minimum standards.

Child protection. We welcome the incorporation of child protection procedures into the framework.

Before the inspection. We support the decision to make the inspections unannounced, to ensure that inspectors are able to inspect the setting under normal conditions on a typical day.

The inspection. We welcome the fact that the description of the inspection itself makes no reference to limitation of inspections to the Free Pre-School Year. On the contrary, the text states that “in smaller settings it may be possible for the inspector(s) to visit all learning rooms”, and that in larger settings the sample of rooms visited “will be at the discretion of the inspector(s)”. We encourage the DES inspectors to use this discretion to inspect not just rooms in which the Free Pre-School Year is delivered, but also rooms with younger children, and to report on their observations of all rooms they visit. This approach will lay the groundwork for the extension of the inspection process over time to all early years provision.

After the inspection. The description of what will happen after the inspection makes no reference to any



procedures that will be followed if inspectors are concerned about breaches of regulations. (There is reference in section 2.5 to referral of child protection concerns to Tusla, but not of concerns relating to non-compliance with the Pre-School Regulations.)

At the 26 May briefing meeting, a verbal assurance was given that referrals could be made. But, in the absence of a formal procedure, there is no assurance that referrals would actually take place, nor what follow-through there would be. For coordination between DES and Tusla to be effective, it is essential that formal referral procedures are established and are clearly understood by service providers.

There is also a need for a reverse referral procedure, by which Tusla can refer a service to the DES inspectorate if they believe there is a case for an education-focused inspection of the service.

Review of an Early Years Education-focused Inspection. We welcome the inclusion of a review process that is in line with standard DES inspection review procedures.

Appendix 1 / Appendix 2. As noted above, we welcome the basis of the inspection framework in Aistear and Síolta, but the national roll-out of Aistear and Síolta must also involve a comprehensive national programme of training and mentoring (see comments above).

Appendix 3. As noted above, we recommend that the proposed 5-point rating should be revised to ensure it is clear which rating-levels are unacceptable and require sanctions. The ratings “poor” and “fair” are not clear enough in spelling out whether or not practice fails to meet required standards. We therefore recommend that the lowest rating should be “inadequate” or “unsatisfactory”, and that the second rating-level should be adjusted to make clear whether it is above or below minimum standards.

