



STATUTORY INSTRUMENTS.

S.I. No. **of 2016**

CHILD CARE ACT 1991 (EARLY YEARS SERVICES) REGULATIONS
2016

CHILD CARE ACT 1991 (EARLY YEARS SERVICES) REGULATIONS
2016

ARRANGEMENT OF REGULATIONS

Part I

PRELIMINARY AND GENERAL

Regulation

1. Title and commencement
2. Interpretation
3. Revocation
4. Prescribed early years service
5. Fees

Part II

REGISTRATION AND REGISTER

6. Registration of pre-school service
7. Register
8. Notification of change in circumstances

Part III

MANAGEMENT AND STAFF

9. Management and recruitment
10. Policies, procedures etc. of pre-school service
11. Staffing levels
12. Childminders
13. Temporary pre-school services and pre-school services in drop-in centres
14. Review of pre-school service

Part IV

INFORMATION AND RECORDS

15. Record of pre-school child
16. Record in relation to pre-school service

17. Information for parents
18. Copy of Act *etc.*

Part V

CARE OF CHILD IN PRE-SCHOOL SERVICE

19. Health, welfare and development of child
20. Facilities for rest and play
21. Equipment and materials
22. Food and drink

Part VI

SAFETY

23. Safeguarding health, safety and welfare of child
24. Checking in and out and record of attendance
25. First aid
26. Fire safety measures
27. Supervision
28. Insurance

Part VII

PREMISES AND SPACE REQUIREMENTS

29. Premises
30. Minimum space requirements

Part VIII

NOTIFICATIONS AND COMPLAINTS

31. Notification of incidents
32. Complaints

Part IX

INSPECTION AND ENFORCEMENT

33. Furnishing of information to Agency
34. Inspection

35. Enforcement and execution

SCHEDULE 1

APPLICATION FEES

SCHEDULE 2

APPLICATION FORM FOR REGISTRATION OF PRE-SCHOOL SERVICE

SCHEDULE 3

APPLICATION FORM FOR REGISTRATION OF TEMPORARY PRE-SCHOOL SERVICE

SCHEDULE 4

FORM FOR NOTIFICATION OF CHANGE IN CIRCUMSTANCES

SCHEDULE 5

POLICIES, PROCEDURES AND STATEMENTS

SCHEDULE 6

ADULT: CHILD RATIOS

SCHEDULE 7

MINIMUM SPACE REQUIREMENTS

S.I. No. of 2016

CHILD CARE ACT 1991 (EARLY YEARS SERVICES) REGULATIONS
2016

The Minister for Children and Youth Affairs, in the exercise of the powers conferred on him by section 58B (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Child Care Act 1991 (No.17 of 1991), after consultation with the Minister for Education and Skills and the Minister for the Environment, Community and Local Government, hereby makes the following Regulations:

PART I

PRELIMINARY AND GENERAL

Title and commencement

1. (1) These Regulations may be cited as the Child Care Act 1991 (Early Years Services) Regulations 2016.

(2) These Regulations shall come into operation on 30 June 2016.

Interpretation

2. (1) In these Regulations—

“Act” means the Child Care Act 1991 (No. 17 of 1991);

“Act of 2012” means the National Vetting Bureau (Children and Vulnerable Persons) Act 2012 (No. 47 of 2012);

“childminder” means a person who provides a childminding service;

“childminding service” means a pre-school service, which may include an overnight pre-school service, offered by a person who single-handedly takes care of pre-school children, which may include the person’s own children, in the person’s home for a total of more than 2 hours per day, except where the exemptions provided in section 58L of the Act apply;

“clear floor space”, in relation to a pre-school service, means floor space that is available in the service for children’s work, play and movement after taking into account each of the following:

(a) storage space;

(b) furniture, other than furniture that is used directly in relation to the care of children attending the service;

(c) permanent fixtures;

(d) areas ancillary to the provision of the pre-school service, including kitchens, toilets, areas designated solely for use for sleeping by the children attending the service or areas designated solely for use for administrative purposes;

“complaints policy”, in relation to a pre-school service, means a policy specifying the procedures for making and dealing with complaints in relation to any aspect of the service;

“contractor”, in relation to a pre-school service, means a person who carries out work in the service under a contract for services, a necessary and regular part of which consists mainly of the person having access to, or contact with, children attending the service;

“director”, in relation to a registered provider that is a body corporate, means a director within the meaning of the Companies Act 2014 (No. 38 of 2014) and, in the case of a board of management established under section 14 of the Education Act 1998 (No. 51 of 1998), means each member of such a board;

“employee”, in relation to a pre-school service, means a person who has entered into or works under a contract of employment with the registered provider;

“full day care service” means a pre-school service offering a structured day care service for pre-school children for more than 5 hours per day and which may include a sessional pre-school service for pre-school children not attending the full day care service;

“overnight pre-school service” means a pre-school service in which pre-school children are taken care of for a total of more than 2 hours between the hours of 7pm and 6am except where the exemptions provided in section 58L of the Act apply;

“part-time day care service” means a pre-school service offering a structured day care service for pre-school children for a total of more than 3.5 hours and less than 5 hours per day and which may include a sessional pre-school service for pre-school children not attending the part-time day care service;

“person in charge”, in relation to a pre-school service, means the person who has day-to-day charge of the service and includes a registered provider who has such charge of the service;

“policy on the use of the internet and photographic and recording devices”, in relation to a pre-school service, means a policy specifying—

(a) when, and in what circumstances and for what purpose, pre-school children are permitted access to the internet while attending the service,

- (b) when, and in what circumstances and for what purpose, the use of photographic or recording devices is permitted in the service,
- (c) by whom, and in what circumstances, the viewing of, the listening to or the retention of a photograph or recording of a pre-school child while attending the service is permitted, and
- (d) the form of the consent required to be given by a parent or guardian of a pre-school child before the child may be permitted access to the internet or be photographed or recorded in accordance with paragraphs (a) and (b);

“premises”, in relation to a pre-school service, includes a building or part of a building, and any out-offices, yard, garden or land appurtenant thereto or usually enjoyed therewith in which the service is being or is proposed to be carried on;

“pre-school service in a drop-in centre” means a pre-school service offering day care to pre-school children which is used exclusively on an intermittent basis;

“record” means any record kept or retained in pursuance of these Regulations including any electronic record, book, card, form, tape, film, note or any record in permanent form including a record that is not in a legible form but which is capable of being reproduced in a legible form;

“register” means the register established and maintained in accordance with section 58C of the Act;

“registered medical practitioner” has the same meaning as it has in the Medical Practitioners Act 2007;

“registered provider”, in relation to a pre-school service, means the person whose name is entered in the register in accordance with section 58C of the Act as providing that pre-school service;

“sessional pre-school service” means a pre-school service offering a planned programme to pre-school children for a total of not more than 3.5 hours per session;

“temporary pre-school service” means a pre-school service offering day care to children exclusively on a temporary basis;

“unpaid worker”, in relation to a pre-school service, means a person who works in the service but who is not remunerated for such work by the registered provider.

(2) Notwithstanding the definition of “employee” in paragraph (1)—

- (a) the reference to “employee” in Regulation 9(1)(c) shall be construed as including a reference to the registered provider where he or she works in the service, and

- (b) the references to “employee” in Regulations 9(4) and 24(1), (2) and (3) shall be construed as including references to the registered provider.

Revocation

3. The Child Care (Pre-School Services) (No. 2) Regulations 2006 (S.I. No. 604 of 2006) are revoked.

Prescribed early years service

4. A pre-school service shall be a prescribed early years service for the purposes of Part VIIA of the Act.

Fees

5. (1) Subject to this Regulation, the fee specified in column (3) of Schedule 1 opposite a particular reference number specified in column (1) of that Schedule is prescribed for the purposes of section 58D(3) as the fee to accompany an application under section 58D(2) (the “application fee”) in respect of a class of pre-school service specified in column (2) thereof at that reference number.

(2) Subject to paragraph (3), where a registered provider provides more than one class of pre-school service in a pre-school service, the application fee payable by the registered provider shall be the highest fee applicable to the classes of pre-school service provided in that service.

(3) Where a childminding service includes an overnight service the application fee payable by the childminder shall be the fee applicable to a childminding service.

(4) An amount equal to the application fee payable in respect of a pre-school service other than a temporary pre-school service is prescribed, subject to paragraph (5), for the purposes of section 58B(2)(d) as the fee payable annually by the pre-school service towards the cost of inspections under Part VIIA (the “annual fee”).

(5) No annual fee shall be payable by a registered provider in the year in which the registered provider makes an application for registration in respect of the pre-school service.

(6) The Agency shall, on an annual basis, notify the registered provider of the annual fee to be paid to it by that provider in respect of the pre-school service and such fee shall be payable on or before 30 September of the year concerned.

PART II

REGISTRATION AND REGISTER

Registration of pre-school service

6. (1) The form set out in Schedule 2 is prescribed for the purposes of section 58D(3) for pre-school services other than temporary pre-school services.

- (2) The form set out in Schedule 3 is prescribed for the purposes of section 58D(3) for temporary pre-school services.
- (3) A person who proposes to provide a pre-school service other than a temporary pre-school service shall make an application under section 58D(2) in respect of the pre-school service at least 3 months before the person proposes to commence the service.
- (4) A person who proposes to provide a temporary pre-school service shall make an application under section 58D(2) in respect of the pre-school service at least 21 days before the person proposes to commence the service.
- (5) A person making an application under section 58D(2) shall enclose with the form set out in Schedule 2 or 3—
- (a) a copy of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of—
 - (i) the person,
 - (ii) where the person is a body corporate, each director of the body, and
 - (iii) where the person in charge is different to the registered provider, the person in charge,
 - (b) in so far as is practicable, where a person specified in clause (i), (ii) or (iii) of paragraph (a) has lived in a state other than the State for a period of longer than 6 consecutive months, vetting information in respect of the person obtained from the police authorities in that state,
 - (c) 2 references in writing in respect of himself or herself that demonstrate that he or she is a suitable person to provide a pre-school service, including one from his or her most recent employer, if any, or where the person is a body corporate, two such references in respect of each director of the body,
 - (d) a floor plan of the interior design of the premises—
 - (i) setting out each room on the premises, and
 - (ii) specifying the dimensions of each room intended for inclusion in the calculation of clear floor space under Regulation 30 and the amount of clear floor space in each such room,
 - (e) a floor plan of the external areas, if any, of the premises available for the use of children attending the service,

- (f) such documentation as demonstrates that the person making the application has valid and appropriate insurance cover for the pre-school service, and
- (g) a copy of—
 - (i) the policies, procedures and statements specified in subparagraphs (a) to (f) of paragraph 1 of Schedule 5, and
 - (ii) the safety statement (within the meaning of the Safety, Health and Welfare at Work Act 2005) of the service (if any).

(6) Where an application is made pursuant to section 58D by the registered provider of a pre-school service or by a person who proposes to provide a pre-school service, the Agency, prior to deciding whether to register the provider concerned pursuant to subsection (5) of that section—

- (a) shall assess the information provided by the person applying, and
- (b) may visit the premises where the pre-school service is being, or is proposed to be, provided, as the case may be.

Register

7. (1) The register shall be available for inspection by members of the public by means of the internet.

(2) The following details, in addition to those specified in section 58C(2), are prescribed for the purposes of that section as to be contained in the register:

- (a) the name, if any, of the pre-school service;
- (b) the name of the person in charge of the pre-school service (if different to the registered provider);
- (c) the date from which the registration of the pre-school service takes effect (if different from the date of registration);
- (d) in the case of an application in respect of a temporary pre-school service, the dates on which the service is to be provided;
- (e) whether the pre-school service offers one or more of the following classes of service:
 - (i) childminding service;
 - (ii) full day care service;
 - (iii) overnight pre-school service;
 - (iv) part-time day care service;
 - (v) pre-school service in a drop-in centre;

- (vi) temporary pre-school service;
- (vii) sessional pre-school service;
- (f) the age profile of children for which the service is registered to provide services;
- (g) any condition attached to registration.

Notification of change in circumstances

8. (1) A registered provider of a pre-school service other than a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 60 days before it is proposed that the change would take effect.

(2) A registered provider of a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 7 days before it is proposed that the change would take effect.

(3) Where a registered provider has been unable for good and proper reason to notify the Agency within the time specified in paragraph (1) or (2), as the case may be, of a change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2), the registered provider shall notify the Agency in writing of the change as soon as possible thereafter.

(4) The form set out in Schedule 4 is prescribed for the purposes of a notification under paragraph (1), (2) or (3).

(5) A registered provider of a pre-school service other than a temporary pre-school service who ceases to carry on the pre-school service shall, not later than 28 days after the cessation of the service, give notice in writing to the Agency of the cessation.

PART III

MANAGEMENT AND STAFF

Management and recruitment

9. (1) A registered provider shall ensure that—
- (a) the service has a designated person in charge and a named person who is able to deputise as required,
 - (b) at all times during the period when the pre-school service is being carried on, the designated person in charge or the named person referred to in subparagraph (a) is on the premises, and

- (c) there is a clear management structure in the service that identifies the lines of authority and accountability in the service and the specific roles and responsibilities of each employee and unpaid worker.

(2) A registered provider shall ensure that each employee, unpaid worker and contractor is suitable and competent taking into consideration the nature of the needs of children, including by—

- (a) consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,
- (b) consideration of references from reputable sources in the case of a person who has no past employers,
- (c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the person, and
- (d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.

(3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.

(4) A registered provider shall ensure that, without prejudice to the generality of paragraph (2) and subject to paragraphs (5) and (6), each employee working directly with children attending the service holds at least a major award in Early Childhood Care and Education at Level 5 on the National Qualifications Framework or a qualification deemed by the Minister to be equivalent.

(5) Paragraph (4) shall apply—

- (a) on or after 31 December 2016 in respect of pre-school services registered on or before 30 June 2016, and
- (b) on or after the date of registration in respect of all other pre-school services.

(6) Paragraph (4) shall not apply before 1 September 2021 to a person who—

- (a) has signed a declaration on or before 30 June 2016 to the effect that he or she intends to retire from employment in a pre-school service before 1 September 2021, and
- (b) is in possession of a letter from the Minister confirming that paragraph (4) shall not apply to him or her before that date.

(7) A registered provider shall ensure that all employees, unpaid workers and contractors are appropriately supervised and provided with appropriate information, and where necessary training, including in relation to the following:

- (a) the policies, procedures and statements of the service specified in Schedule 5;
- (b) Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act, and
- (c) these Regulations.

Policies, procedures etc. of pre-school service

10. A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.

Staffing levels

11. (1) Subject to this Regulation, a registered provider shall ensure that there is at all times an adequate number of adults working directly with the children attending the pre-school service.

(2) Subject to paragraphs (4) and (5), a registered provider of a full day care service or a part-time day care service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 1 of Schedule 6 opposite a particular reference number specified in column (1) of that Part in respect of the age range of the children specified in column (2) thereof at that reference number is satisfied.

(3) Subject to paragraph (5), a registered provider of a sessional pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 2 of Schedule 6 opposite a particular reference number specified in column (1) of that Part in respect of the age range of the children specified in column (2) thereof at that reference number is satisfied.

(4) Subject to paragraph (5), where a registered provider contemporaneously provides—

- (a) a sessional pre-school service, and
- (b) a full day care service or a part-time day care service, or both,

the minimum ratio of adults to children applicable for the duration of the sessional pre-school service in respect of the children attending that service shall be the ratio specified in paragraph (3).

(5) Paragraphs (2) to (4) shall not apply before 1 September 2016 in respect of IMEB accredited services.

(6) A registered provider of a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that at all times the minimum ratio of

adults to children specified in column (3) of Part 3 of Schedule 6 opposite a particular reference number in column (1) of that Part in respect of the age range of the children specified in column (2) thereof at that reference number is satisfied.

(7) A registered provider of an overnight pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 4 of Schedule 6 opposite a particular reference number in column (1) in respect of the age range of the children specified in column (2) thereof at that reference number is satisfied.

(8) Without prejudice to paragraphs (2) to (7)—

- (a) a registered provider of a pre-school service other than a child-minding service or a sessional pre-school service shall ensure that there are at least 2 adults on the premises at all times,
- (b) a childminder shall ensure that a second person familiar with the operation of the service and in a position to provide assistance to the childminder in operating the service is, at all times, within close distance of the service and available to attend the service to assist the childminder in the event of an emergency, and
- (c) a registered provider of a sessional pre-school service shall ensure that, where the person in charge operates the service single-handedly, a second person familiar with the operation of the service and in a position to provide assistance to the person in charge in operating the service is, at all times, within close distance of the service and available to attend the service to assist the person in charge in the event of an emergency.

(9) In assessing compliance with the adult:child ratios specified in Schedule 6, unpaid workers and, where applicable, the person referred to in Regulation 24(2), shall not be taken into account.

(10) In this Regulation—

“IMEB” means the Irish Montessori Education Board Trust Limited;

“IMEB accredited service” means a full day care service, a part-time day care service or a sessional pre-school service that is accredited by IMEB.

Childminders

12. (1) A childminder shall ensure that—

- (a) there are no more than 5 pre-school children in his or her care at any given time, including his or her own pre-school children,
- (b) subject to paragraph (2), there are no more than 2 children under the age of 15 months in his or her care at any given time, including his or her own pre-school children, and

(c) there is a working telephone on the premises.

(2) A childminder may have more than 2 children under the age of 15 months in his or her care at any given time where all such children are siblings of each other.

Temporary pre-school services and pre-school services in drop-in centres

13. (1) A registered provider of a temporary pre-school service or a pre-school service in a drop-in centre shall ensure there are no more than 24 children attending the service at any given time.

(2) A registered provider of a temporary pre-school service shall ensure that no child attends the service for longer than 8 hours consecutively.

(3) A registered provider of a pre-school service in a drop-in centre shall ensure that no child attends the service for longer than 2 hours consecutively.

Review of pre-school service

14. A registered provider of a pre-school service other than a temporary pre-school service shall ensure that—

(a) at regular intervals, being intervals of not more than one year, a review is carried out in respect of the quality and safety of care provided by the pre-school service to pre-school children attending the service, including a review of the policies, procedures and statements of the service, and

(b) a record of each such review is maintained for a period of 3 years after the review is carried out.

PART IV

INFORMATION AND RECORDS

Record of pre-school child

15. (1) A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:

(a) the name and date of birth of the child;

(b) the date on which the child first attended the service;

(c) the date on which the child ceased to attend the service;

(d) the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;

(e) authorisation for the collection of the child;

- (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;
- (g) the name and telephone number of the child's registered medical practitioner;
- (h) record of immunisations, if any, received by the child;
- (i) written parental consent for appropriate medical treatment of the child in the event of an emergency.

(2) A registered provider of a pre-school service in a drop-in centre or of a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the particulars specified in subparagraphs (a), (d), (e) and (f) of paragraph (1).

(3) A record in writing referred to in paragraph (1) or (2) shall be open to inspection on the premises by—

- (a) a parent or guardian of a pre-school child but only in respect of the record relating to that child,
- (b) an employee who is authorised in that behalf by the registered provider, and
- (c) an authorised person.

(4) A registered provider shall ensure that a record in writing referred to in paragraph (1) is retained for a period of 2 years from the date on which the child to whom it relates ceases to attend the service.

(5) A registered provider shall ensure that a record in writing referred to in paragraph (2) is retained for a period of 2 years from the date on which the child attends the service.

Record in relation to pre-school service

16. (1) A registered provider shall ensure that a record in writing is kept of the following information in relation to the service:

- (a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor;
- (b) details of the class of service and the age profile of children for which the service is registered to provide services;
- (c) details of the adult:child ratios in the service;
- (d) the type of care or programme provided in the service;
- (e) the facilities available;

- (f) the opening hours and fees;
- (g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;
- (h) details of attendance by each pre-school child on a daily basis;
- (i) details of staff rosters on a daily basis;
- (j) details of any medication administered to a pre-school child attending the service with signed parental consent;
- (k) details of any accident, injury or incident involving a pre-school child attending the service.

(2) A registered provider shall ensure that—

- (a) all documents and records relating to references and Garda and police vetting obtained under Regulation 9(2) are retained for a period of 5 years from the date on which the person to whom the document or record relates commences working in the service, and
- (b) a record referred to in subparagraph (h), (j) or (k) of paragraph (1) is retained for a period of 2 years from the date on which the child to whom it relates ceases to attend the service, or in the case of a pre-school service in a drop-in centre or of a temporary pre-school service, for a period of 2 years from the date on which the child attends the service.

(3) A record referred to in paragraph (1) shall be open to inspection on the premises, and the documents and records referred to in paragraph (2)(a) shall be open to inspection whether on the premises or elsewhere, by an authorised person.

(4) A record referred to in paragraph (1) shall be open to inspection on the premises by a parent or guardian of a child but only in respect of information concerning that child.

(5) For the purposes of operating the pre-school service, a record referred to in paragraph (1) shall be open to inspection on the premises by an employee who is authorised in that behalf by the registered provider.

Information for parents

17. A registered provider shall ensure that a parent or guardian of a child proposing to attend the service is provided with the information referred to in subparagraphs (a) to (g) of Regulation 16(1).

Copy of Act etc

18. A registered provider shall ensure that a copy of Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the

Act and of these Regulations is kept on the premises and the said copies shall be open to inspection on the premises by—

- (a) a parent or guardian of a child attending or proposing to attend the service,
- (b) an employee, unpaid worker or contractor, and
- (c) an authorised person.

PART V

CARE OF CHILD IN PRE-SCHOOL SERVICE

Health, welfare and development of child

19. (1) A registered provider shall, in providing a pre-school service, ensure that—

- (a) each child's learning, development and well-being is facilitated within the daily life of the pre-school service through the provision of the appropriate activities, interaction, materials and equipment, having regard to the age and stage of development of the child, and
- (b) appropriate and suitable care practices are in place in the pre-school service, having regard to the number of children attending the service and the nature of their needs.

(2) A registered provider shall ensure that no corporal punishment is inflicted on a pre-school child whilst attending the service.

(3) A registered provider shall ensure that no practices that are disrespectful, degrading, exploitive, intimidating, emotionally or physically harmful or neglectful are carried out in respect of a pre-school child whilst attending the service.

(4) A registered provider shall ensure that a pre-school child shall not be—

- (a) permitted access to the internet,
- (b) photographed, or
- (c) recorded,

while attending the pre-school service other than in accordance with the terms of the consent of a parent or guardian given in the form specified in the service's policy on the use of the internet and photographic and recording devices.

Facilities for rest and play

20. (1) Subject to this Regulation, a registered provider shall ensure that—

- (a) having regard to the number of pre-school children attending the service, their respective ages and the amount of time they spend on the premises, there are adequate and suitable facilities for each child

to play indoors and, where required by these Regulations, outdoors, during the day, and

- (b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.

(2) A registered provider—

- (a) of a full day care service, a part-time day care service, a sessional pre-school service or a childminding service that is registered for the first time on or after 30 June 2016, or
- (b) of a full day care service, a part-time day care service, a sessional pre-school service or a childminding service that moves premises on or after 30 June 2016,

shall ensure that a suitable, safe and secure outdoor space to which the pre-school children attending the service have access on a daily basis is provided on the premises.

(3) A registered provider of a full day care service, a part-time day care service or a childminding service, other than such a service to which paragraph (2) applies, shall ensure that—

- (a) a suitable, safe and secure outdoor space to which the pre-school children attending the service have access on a daily basis is provided on the premises, or
- (b) where no such space is provided, the pre-school children attending the service have access on a daily basis to a suitable outdoor space.

(4) Where outdoor space to which the pre-school children attending the service have access is provided on the premises of a sessional pre-school service other than such a service to which paragraph (2) applies, a temporary pre-school service or a pre-school service in a drop-in centre, the registered provider shall ensure that such outdoor space is suitable, safe and secure.

(5) Where pre-school children attending a sessional pre-school service other than such a service to which paragraph (2) applies, a temporary pre-school service or a pre-school service in a drop-in centre have access to an outdoor space other than such a space specified in paragraph (4), the registered provider shall ensure that such outdoor space is suitable.

Equipment and materials

21. A registered provider shall ensure that there is adequate and suitable furniture, play and work equipment and materials available on the premises of the pre-school service.

Food and drink

22. A registered provider shall ensure that adequate and suitable, nutritious and varied food and drink is available for each pre-school child attending the pre-school service.

PART VI

SAFETY

Safeguarding health, safety and welfare of child

23. A registered provider shall ensure that all reasonable measures are taken to safeguard the health, safety and welfare of a pre-school child attending the service and that the environment of the service is safe.

Checking in and out and record of attendance

24. (1) A registered provider shall ensure that each pre-school child attending the service is checked in and out of the service by an employee or an unpaid worker.

(2) Where there are more than 15 children attending a pre-school service in a drop-in centre, the registered provider shall ensure that one employee or unpaid worker is assigned responsibility for the checking in and out of children.

(3) A registered provider shall ensure that—

(a) no person other than—

- (i) a pre-school child attending the service,
- (ii) a person dropping or collecting such a child,
- (iii) an employee, or
- (iv) an unpaid worker,

can enter the premises without his or her entry being approved by an employee, and

(b) a daily record in writing is kept of the entry on the premises of any such person.

(4) A registered provider shall ensure that a record in writing referred to in paragraph (3)(b) is retained for a period of one year from the date to which it relates.

First aid

25. (1) A registered provider shall ensure that a person trained in first aid for children is, at all times, immediately available to the children attending the pre-school service.

(2) A registered provider shall ensure that a suitably equipped first aid box for children—

- (a) is safely stored in an easily accessible and conspicuous position on the premises, and
- (b) is available to the children attending the pre-school service at all times.

Fire safety measures

26. (1) A registered provider shall ensure that a record in writing is kept of—
- (a) any fire drill that takes place in the premises, and
 - (b) the number, type and maintenance record of fire fighting equipment and smoke alarms in the premises.
- (2) The record referred to in paragraph (1) shall be open to inspection by—
- (a) a parent or guardian of a pre-school child attending or proposing to attend the pre-school service,
 - (b) an employee, and
 - (c) an authorised person.
- (3) A registered provider shall ensure that a record referred to in paragraph (2) is retained for a period of 5 years after its creation.
- (4) A notice of the procedures to be followed in the event of fire shall be displayed in a conspicuous position in the premises.

Supervision

27. A registered provider shall ensure that pre-school children attending the service are supervised at all times.

Insurance

28. A registered provider shall ensure that the pre-school service is adequately insured.

PART VII

PREMISES AND SPACE REQUIREMENTS

Premises

29. A registered provider shall ensure that the premises of the service are—
- (a) of sound and stable structure,
 - (b) safe and secure,
 - (c) kept adequately lit, heated and ventilated,
 - (d) cleaned, maintained and repaired, as required, and
 - (e) equipped with adequate and suitable sanitary facilities.

Minimum space requirements

30. (1) Subject to paragraphs (2) to (6), a registered provider shall ensure that adequate clear floor space is available in the premises for the work, play and movement of children attending the pre-school service.

(2) A registered provider of a full day care service or a part-time day care service shall ensure that the minimum amount of clear floor space specified in column (3) of Schedule 7 opposite a particular reference number specified in column (1) of that Schedule in respect of the age range of children specified in column (2) thereof at that reference number is available for each child in that age range attending the service.

(3) A registered provider of a sessional pre-school service or a pre-school service in a drop-in centre shall ensure that a minimum of 1.818 square metres of clear floor space is available for each child attending the service.

(4) Where a registered provider contemporaneously provides—

(a) a sessional pre-school service, and

(b) a full day care service or a part-time day care service, or both,

the minimum clear floor space applicable for the duration of the sessional pre-school service in respect of the children attending that service shall be the floor space specified in paragraph (3).

(5) A registered provider of a temporary pre-school service shall ensure that a minimum of 2 square metres of clear floor space is available for each child attending the service.

(6) Subject to paragraph (7), a registered provider of a sessional pre-school service shall ensure that there are no more than 22 children in a room in the service at any time.

(7) Paragraph (6) shall not apply where a registered provider contemporaneously provides—

(a) a sessional pre-school service, and

(b) a full day care service or a part-time day care service, or both.

PART VIII

NOTIFICATIONS AND COMPLAINTS

Notification of incidents

31. A registered provider shall notify the Agency in writing within 3 working days of becoming aware of any of the following incidents occurring in the pre-school service:

- (a) the death of a pre-school child while attending the service, including the death of a child in hospital following his or her transfer to hospital from the service;
- (b) the diagnosis of a pre-school child attending the service, an employee, unpaid worker, contractor or other person working in the service as suffering from an infectious disease within the meaning of the Infectious Diseases Regulations 1981 (S.I. No. 390 of 1981);
- (c) an incident that occurs in the service and that results in the service being closed for any length of time;
- (d) a serious injury to a pre-school child while attending the service that requires immediate medical treatment by a registered medical practitioner whether in a hospital or otherwise;
- (e) an incident in respect of which a pre-school child attending the service goes missing while attending the service.

Complaints

32. (1) A registered provider shall ensure that the complaints policy of the service specifies—

- (a) the procedure to be followed by a person for the purposes of making a complaint in relation to the service,
- (b) the manner in which such a complaint shall be dealt with, and
- (c) the procedures for keeping a person who makes such a complaint informed of the manner in which it is being dealt with.

(2) A registered provider shall ensure that—

- (a) a record in writing is kept of a complaint made to the provider in respect of the pre-school service, and
- (b) the complaint is duly dealt with in accordance with the provider's complaints policy.

(3) A record in writing referred to in paragraph (2)(a) shall—

- (a) include the nature of the complaint and the manner in which the complaint was dealt with, and
- (b) be open to inspection on the premises by an authorised person.

(4) A registered provider shall ensure that a record in writing referred to in paragraph (2)(a) is retained for a period of 2 years from the date on which the complaint has been dealt with.

(5) The requirement in paragraph (4) is without prejudice to any requirement to retain the record in writing referred to in paragraph (2)(a) under any other enactment or rule of law.

Part IX

INSPECTION AND ENFORCEMENT

Furnishing of information to Agency

33. A registered provider shall furnish the Agency with such information as the Agency may reasonably require for the purpose of enforcing and executing these Regulations and the information shall be in such form, if any, as may be specified by the Agency.

Inspection

34. (1) The Agency shall, following an inspection by an authorised person of a pre-school service, furnish a report in writing to the registered provider of the outcome of the inspection.

(2) Subject to paragraph (1), the Agency shall take such steps as are necessary to enforce these Regulations in relation to the pre-school service concerned.

Enforcement and execution

35. These Regulations shall be enforced and executed by the Agency.

SCHEDULE 1**Application Fees**

(1)	(2) Class of Service	(3) Annual fee
1.	Full day care service	€80
2.	Part-time day care service	€80
3.	Sessional pre-school service	€40
4.	Pre-school service in a drop-in centre	€80
5.	Temporary pre-school service	€80
6.	Childminding service	€40
7.	Overnight pre-school service	€80

SCHEDULE 2**Application Form for Registration of Pre-School Service**

Part VIIA of the Child Care Act 1991 as inserted by Section 92 of the Child & Family Agency Act 2013.

Please complete in BLACK pen, in BLOCK CAPITALS

Information to be enclosed with application form

- Garda vetting/Police vetting for proposed registered provider and person in charge if different
- Two references in respect of the proposed registered provider, and in respect of the person in charge if different
- Floor plan of the interior design of the centre giving details of the dimensions of all rooms intended for children's use, also indicating owner's/staff rooms
- Plan of any outdoor area available for children's use
- Evidence of registration from Companies Registration Office, where applicable
- Proof of identity of the proposed registered provider (copy of passport or driving licence are the only acceptable documents)
- Copy of the Certificate of Insurance or written confirmation of insurance cover
- Copy of Statement of Purpose and Function
- Copy of Safety Statement
- Copy of Policy on Managing Behaviour
- Copy of Complaints Policy
- Copy of Policy on Administration of Medication
- Copy of Policy on Infection Control
- Copy of Policy on Safe Sleep
- Application Fee Due

Please note that only fully completed application forms will be accepted.

All information must be accurate and comprehensive

1. General Details

Is the person completing this application form over 18 years of age?

Yes No

Class of Service:

Full day care service	<input type="checkbox"/>
Part-time day care service	<input type="checkbox"/>
Sessional pre-school service	<input type="checkbox"/>
Pre-school service in a drop-in centre	<input type="checkbox"/>
Childminding service	<input type="checkbox"/>
Overnight service	<input type="checkbox"/>

Name of the Pre-School Service

Address of the Pre-School Service

.....

.....

Telephone no. of Pre-School Service Land Line

Mobile

Email address

Website

When do you propose to commence the Service?

How many children will the Service accommodate?

What is the age profile of the children the Service will accommodate?

2. Proposed Registered Provider(s) of Pre-School Service

Please indicate whether the proposed registered provider is a:

Sole Trader

Partnership

Limited Company

Designated Activity Company

Other (Please give details)

2(a) Details of Proposed Registered Provider(s) (sole traders or partnerships)

Full name	Address	Date of birth	Tel. No.

2(b) If the proposed registered provider is not a sole trader or partnership, please provide the following details

Name of Organisation:

Address of Organisation:

.....

Landline No: Mobile No:

E-mail address:

Name of person acting on behalf of Organisation:

Position in Organisation:

Address (if different from above):

.....

Landline No: Mobile No:

E-mail address*:

(*The Agency will use this e-mail address for correspondence purposes)

2(c) Please provide the following details in the case of Registered Companies only

Name of Company:

Address of Registered Office:

.....

Company Secretary Name:

Company Registration Number:

2(d) Is the Service part or proposed to be part of DCYA's Early Childhood Care and Education (ECCE) funding Programme?Yes No

2(e) If yes, please provide the date on which the service commenced the ECCE service, and the DCYA Reference No:

3. Management structure

3(a) Person in Charge (Name to be entered on register as person in charge if different from Proposed Registered Provider)

Particulars of the Person in Charge of the Pre-School Service

Full Name

Date of Birth

Home Address

.....

Tel. No.

3(b) Details of Qualifications of Proposed Registered Provider (or Person in Charge, if different)

Awarding Body	Country of Qualification	Qualification	Duration of course	Date Awarded

3(c) Details of the Employment Record of the Proposed Registered Provider (or Person in Charge, if different)

Please include details of present and past employers, including the name, address, and nature of business, the dates of employment and details of posts held.

Employer's name and address	Nature of business	Post held	Dates of employment		Reason for Leaving
			From	To	

4. Professional Registration details of Proposed Registered Provider (or Person in Charge, if different)

4(a) Is, or was, the proposed registered provider (or person in charge, if different) registered with any health, or allied health professional registration body?

Yes No

4(b) If yes, please provide the following details:

Name of registration body	Contact Details	Registration Number

4(c) If yes, please indicate the registration status

Full Associate Student

4(d) If yes, please indicate the expiration date of the current or most recent registration:

4(e) Has the proposed registered provider (or person in charge, if different) ever been subject to any disciplinary process pursued by the registration body?

Yes No

If yes give details

.....

5.Previous Registration/notification history

5(a) Were you or was any service operated by your organisation previously registered with or notified to the HSE or Tusla?

Yes No

If yes, provide timeframes and details.

.....

5(b) Have you or has any service operated by your organisation been registered as a provider of other social care services eg nursing home, supported accommodation or residential children’s home?

Yes No

If yes, provide timeframes and details:

.....
.....

5(c) Have you or has any service operated by your organisation been registered in another jurisdiction either as an Early Years Service or as another Social Service?

Yes No

If yes, provide timeframes and details:

.....
.....

5(d) Have you or has any service operated by your organisation been prosecuted under the Child Care Act 1991?

Yes No

If yes, provide timeframes and details:

.....
.....

6. Staffing of Pre-School Service

6(a) Proposed Number of Staff to be employed in the Preschool Service

6(b) Proposed number of students, interns, or volunteers and other unremunerated staff (if any)

7. Premises

7(a) Do the premises have a certificate of planning permission?

Yes No

If no, please state reason why not

.....

7(b) Date of construction

7(c) Do you have sole use of the premises?

Yes No

If no, what other services/individuals do you share the premises with?

.....
.....

7(d) Are the proposed premises ready for a pre- registration visit?

Yes No

**If no, please state when the proposed premises will be ready for a pre-regis-
tration visit:**

.....

7(e) Are the premises that you are planning to use as a Pre-School Service:

A domestic dwelling	<input type="checkbox"/>
Purpose-built as a childcare facility	<input type="checkbox"/>
A refurbished/change of use of an existing building	<input type="checkbox"/>
Currently being used as a Pre-School Service	<input type="checkbox"/>
Located in a building where activities other than childcare take place Please specify the nature of the other activities (e.g. primary school, community hall, older people's daycare, bridge club etc.)	<input type="checkbox"/>

**7(f) Please list all the rooms available to the pre-school service together with
their function and size**

Room	Function	Size(m ²)

**7(g) Please give details of the outdoor play area available to the pre-school
children**

Details of Outdoor Play Area	Size (m ²)

8. Insurance Arrangements

8(a) Name of Insurance Company

8(b) Address of Insurance Company

8(c) Categories of insurance cover for the pre-school service

- | | |
|--------------------|--------------------------|
| Public liability | <input type="checkbox"/> |
| Fire & theft | <input type="checkbox"/> |
| Motor insurance | <input type="checkbox"/> |
| Building Insurance | <input type="checkbox"/> |
| Outings Insurance | <input type="checkbox"/> |
| Other | <input type="checkbox"/> |

8(d) Number of children covered by insurance

8(e) Date of Insurance Cover From To

9. Opening Days/Hours

Please provide details of the proposed opening days and opening hours of the Pre-School Service:

10. Directions to your Pre-School Service

Please provide easy-to-follow-directions to the location of the proposed pre-school service:

.....

11. Fees

Please indicate on the following table the appropriate fee due in respect of your application:

	Class of Service	Fee
	Full day care service	€80
	Part-time day care service	€80
	Sessional pre-school service	€40
	Pre-school service in a drop-in centre	€80
	Temporary pre-school service	€80
	Childminding Service	€40
	Overnight pre-school service	€80

12. Declaration

I consent to the Child and Family Agency carrying out checks and using information provided in this application form when assessing my suitability to register a Pre-School Service.

I agree to notify the Child and Family Agency of any changes to the information on this form.

I declare that I have attached all documentation required to progress my application as set out in this form, including the relevant application fee.

I declare that all the information I have given on the application form is true to the best of my knowledge and belief.

The name below is that of the proposed registered provider.

Name:

Signed on behalf of the proposed registered provider:

.....

Status of Signatory (for example Individual, director, chairperson):

Date

SCHEDULE 3**Application Form for Registration of Temporary Pre-School Service**

Part VIIA of the Child Care Act 1991 as inserted by Section 92 of the Child & Family Agency Act 2013

Please complete in BLACK pen, in BLOCK CAPITALS

Information to be enclosed with application form

- Garda vetting/Police vetting for proposed registered provider and person in charge if different
- Two references in respect of the proposed registered provider, and in respect of the person in charge if different
- Floor plan of the interior design of the centre giving details of the dimensions of all rooms intended for children's use, also indicating owner's/staff rooms
- Evidence of registration from Companies Registration Office, where applicable
- Copy of the Certificate of Insurance or written confirmation of insurance cover
- Copy of Statement of Purpose and Function
- Proof of identity of the proposed registered provider (copy of passport or driving licence are the only acceptable documents)
- Copy of Safety Statement
- Copy of Policy on Managing Behaviour
- Copy of Complaints Policy
- Copy of Policy on Administration of Medication
- Copy of Policy on Infection Control
- Copy of Policy on Safe Sleep
- Application Fee Due

Please note that only fully completed application forms will be accepted.

All information must be accurate and comprehensive

1. General Details

Is the person completing the form over 18 years of age?

Yes No

Name of the Pre-School Service

Address of the Pre-School Service

.....
.....

Telephone no. of Pre-School Service Land Line

Mobile

Email address

Website

How many children will the Service accommodate?

What is the age profile of the children the Service will accommodate?

2. Proposed Registered Provider(s) of the Temporary Pre-School Service

Please indicate whether the proposed registered provider is a:

Sole Trader Partnership Limited Company Designated Activity Company

Other (Please give details)

2(a) Details of Proposed Registered Provider(s) (sole traders or partnerships)

Full name	Addressa	Date of birth	Tel. No.

2(b) If the proposed registered provider is not a sole trader or partnership, please provide the following details:

Name of Organisation:

Address of Organisation:

Landline No: Mobile No:

E-mail address:

Name of person acting on behalf of Organisation:

Position in Organisation:

Address (if different from above):

Landline No: Mobile No:

E-mail address*:
 (*The Agency will use this e-mail address for correspondence purposes)

2(c) Please provide the following details in the case of Registered Companies only

Name of Company:

Address of Registered Office:

Company Secretary Name:

Company Registration Number:

3. Management structure

3(a) Person in Charge (Name to be entered on register as person in charge if different from Proposed Registered Provider)

Particulars of the Person in Charge of the Pre-School Service

Full Name

Date of Birth

Home Address

Tel. No.

3(b) Details of Qualifications of Proposed Registered Provider (or Person in Charge, if different)

Awarding Body	Country of Qualification	Qualification	Duration of course	Date Awarded

3(c) Details of the Employment Record of the Proposed Registered Provider (or Person in Charge, if different)

Please include details of present and past employers, including the name, address, and nature of business, together with the dates of employment and details of posts held.

Employer's name and address	Nature of business	Post held	Dates of employment		Reason for Leaving
			From	To	

4. Professional Registration details of Proposed Registered Provider (or Person in Charge, if different)

4(a) Is, or was, the proposed registered provider (or person in charge, if different) registered with any health, or allied health professional registration body?

Yes No

4(b) If yes, please provide the following details:

Name of registration body	Contact Details	Registration Number

4(c) If yes, please indicate the registration status

Full Associate Student

4(d) If yes, please indicate the expiration date of the current or most recent registration

.....

4(e) Has the proposed registered provider (or person in charge, if different) ever been subject to any disciplinary process pursued by the registration body?

Yes No

If yes give details:

.....

.....

5. Previous Registration/notification history

5(a) Were you or was any service operated by your organisation previously registered with or notified to the HSE or Tusla?

Yes No

If yes, provide timeframes and details:

.....

.....

5(b) Have you or has any service operated by your organisation been registered as a provider of other social care services eg nursing home, supported accommodation or residential children's home?

Yes No

If yes, provide timeframes and details:

.....

.....

5(c) Have you or has any service operated by your organisation been registered in another jurisdiction either as an Early Years Service or as another social service?

Yes No

If yes, provide timeframes and details:

.....

.....

5(d) Have you or has any service operated by your organisation been prosecuted under the Child Care Act 1991?

Yes No

7(d) Please give details of any outdoor play area available to the pre-school children

Details of Outdoor Play Area	Size (m ²)

8. Insurance Arrangements

8(a) Name of Insurance Company

8(b) Address of Insurance Company

8(c) Categories of insurance cover for the pre-school service

- Public liability**
- Fire & theft**
- Motor insurance**
- Building Insurance**
- Outings Insurance**
- Other**

8(d) Number of children covered by insurance

8(e) Date of Insurance Cover From To

9. Dates on which it is proposed to provide the Temporary Pre-School Service:

From: ____ / ____ / ____ **To:** ____ / ____ / ____

Total No. of Days: ____ **Hours of operation:** _____

10. Directions to your Pre-School Service

Please provide easy-to-follow-directions to the location of the proposed temporary pre-school service:

.....

.....

.....

.....

11. Fees

The fee for an application for registration of a Temporary Pre-School Service is €80.

12. Declaration

I consent to the Child and Family Agency carrying out checks and using information provided in this application form when assessing my suitability to register a Temporary Pre-School Service.

I agree to notify the Child and Family Agency of any changes to the information on this form.

I declare that I have attached all documentation required to progress my application as set out in this form including the relevant application fee.

I declare that all the information I have given on the application form is true to the best of my knowledge and belief.

The name below is that of the proposed registered provider.

Name:

Signed on behalf of the proposed registered provider:

.....

Status of Signatory (for example Individual, director, chairperson):

Date

SCHEDULE 4

Form for Notification of Change in Circumstances

Name of Service		Reference Number	
Address of Service			

Please tick (✓) column(s) in respect of which you are notifying a change in circumstances

Please complete the following:

Summary of reason for notification	✓
Change of Service Name	
Change of Service Address	
Change of Registered Provider	
Change in Legal Name of Company	
Change of Person in charge	
Change in Service Type	
Change in No of children that can be accommodated	
Change in age profile of children for which the service is registered to provide services	

Name of Service as per the Register	Ref No.		Current Information on Register which you Propose to Change	New Information which is proposed to be entered on Register

Signature of Registered Provider

Date:

SCHEDULE 5**Policies, procedures and statements**

1. (a) statement of purpose and function;
- (b) complaints policy;
- (c) policy on administration of medication;
- (d) policy on infection control;
- (e) policy on managing behaviour;
- (f) policy on safe sleep;
- (g) fire safety policy;
- (h) inclusion policy;
- (i) outings policy where children attending the service are brought on such outings;
- (j) policy on accidents and incidents;
- (k) policy on authorisation to collect children;
- (l) policy on healthy eating;
- (m) policy on outdoor play where such play is provided to children attending the service;
- (n) policy on overnight services where the service is an overnight pre-school service;
- (o) policy on staff absences;
- (p) policy on the use of the internet and photographic and recording devices;
- (q) recruitment policy;
- (r) risk management policy;
- (s) settling-in policy;
- (t) staff training policy;
- (u) supervision policy.

2. In this Schedule—

“fire safety policy”, in relation to a pre-school service, means a policy specifying—

- (a) the manner in which the registered provider shall ensure that all employees, unpaid workers and contractors are—
 - (i) aware of and trained in the procedures to be followed in case of fire in the service, and
 - (ii) familiar with the location of any fire fighting equipment and trained in the use of such equipment,
- (b) the frequency and timing of fire drills to be carried out in the service, and
- (c) the manner in which the record in writing referred to in Regulation 26 is to be maintained;

“inclusion policy”, in relation to a pre-school service, means a policy specifying the manner in which it is ensured that the needs (including the physical, emotional and intellectual needs and the religious beliefs (if any)) of all pre-school children attending the service are addressed in the service;

“outings policy”, in relation to a pre-school service, means a policy specifying the measures to be taken to ensure the safety and welfare of pre-school children attending the service when under the control of the service but not on the premises of the service;

“policy on accidents and incidents”, in relation to a pre-school service, means a policy specifying—

- (a) the measures to be taken in the service to prevent accidents and incidents,
- (b) the procedures to be followed when an accident or incident involving a pre-school child occurs while the child is attending the service, including the steps that are to be taken to contact the parent or guardian of the child or the emergency services if necessary,
- (c) the manner in which a record of the accident or incident should be kept, and
- (d) the manner in which a record should be shared with the parent or guardian of the child to whom it relates;

“policy on administration of medication”, in relation to a pre-school service, means a policy specifying the procedure to be followed in the service to ensure the safe storage of medication in the service and administration of medication to a pre-school child attending the service;

“policy on authorisation to collect children”, in relation to a pre-school service, means a policy specifying the protocols of the service in relation to the collection from the service of pre-school children attending the service;

“policy on healthy eating”, in relation to a pre-school service, means a policy specifying the manner in which the service shall ensure that the food and drink provided to the pre-school children attending the service is nutritious and complies with the dietary or religious requirements of such a child;

“policy on infection control”, in relation to a pre-school service, means a policy specifying the procedure to be followed in the service to protect persons working in the service and pre-school children attending the service from the transmission of infections;

“policy on managing behaviour”, in relation to a pre-school service, means a policy that—

- (a) supports positive behaviour by the pre-school children attending the service, and
- (b) specifies approaches for managing challenging behaviour by a pre-school child attending the service and assisting the child to manage his or her behaviour as appropriate to the age and stage of development of the child;

“policy on outdoor play”, in relation to a pre-school service, means a policy specifying—

- (a) the manner in which and the times at which pre-school children attending the service have access to outdoor play, whether on the premises or in another location, and
- (b) the manner in which the health and safety of the pre-school children attending the service while engaged in outdoor play is to be ensured;

“policy on overnight services”, in relation to a pre-school service, means the procedures in place in the service to ensure the safety and welfare of pre-school children attending the service overnight, including in relation to the supervision of such children, sleeping arrangements, bedtime routine and the preservation of the privacy of such children;

“policy on safe sleep”, in relation to a pre-school service, means a policy specifying the manner in which safe and suitable sleeping arrangements are to be provided in the service for pre-school children attending the service;

“policy on staff absences”, in relation to a pre-school service, means the arrangements in place in the service to ensure that the required adult:child ratios specified in Regulation 11 can be met when an employee working directly with children attending the service is absent from the service;

“recruitment policy”, in relation to a pre-school service, means a policy specifying the procedure to be followed by the registered provider when hiring employees and unpaid workers, including the steps to be taken to check and verify references, qualifications and vetting documentation;

“risk management policy”, in relation to a pre-school service, means a policy on the manner in which the registered provider assesses any potential risks to the safety of the pre-school children attending the service, and the steps taken to either eliminate those risks or mitigate them;

“settling-in policy”, in relation to a pre-school service, means the procedures in place in the service to facilitate the integration in the service of a pre-school child when he or she first attends the service, his or her progression within the service and his or her transition to primary school;

“staff training policy”, in relation to a pre-school service, means a policy specifying the manner in which the registered provider shall identify and address the training needs of employees and unpaid workers;

“statement of purpose and function”, in relation to a pre-school service, means a description of the service, including—

- (a) who the service is aimed at,
- (b) the class of service provided,
- (c) the hours of the service,
- (d) the age range of the children catered for in the service, and
- (e) the number of children that can be catered for in the service;

“supervision policy”, in relation to a pre-school service, means a policy specifying the manner in which employees, unpaid workers and contractors are supervised and supported in the service in relation to their work practices.

SCHEDULE 6**Adult:Child Ratios**

Part 1

Full day care service or part-time day care service

(1)	(2) AGE RANGE	(3) ADULT:CHILD RATIO
1.	0-1 year	1:3
2.	1-2 years	1:5
3.	2-3 years	1:6
4.	3-6 years	1:8

Part 2

Sessional pre-school service

(1)	(2) AGE RANGE	(3) ADULT:CHILD RATIO
1.	0-1 year	1:3
2.	1 — 2½ years	1:5
3.	2½ — 6 years	1:11

Part 3

Pre-school service in a drop-in centre and temporary pre-school service

(1)	(2) AGE RANGE	(3) ADULT:CHILD RATIO
1.	0-6 years	1:4

Part 4

Overnight pre-school service

(1)	(2) AGE RANGE	(3) ADULT:CHILD RATIO
1.	0-1 year	1:3
2.	1-6 years	1:5

SCHEDULE 7**Minimum Space Requirements**

Full day care service or part-time day care service

(1)	(2) AGE RANGE	(3) CLEAR FLOOR SPACE
1.	0-1 year	3.5 square metres
2.	1 — 2 years	2.8 square metres
3.	2 — 3 years	2.35 square metres
4.	3 — 6 years	2.3 square metres

GIVEN under the Official Seal of the Minister for Children and
Youth Affairs,
2016.

_____,
Minister for Children and Youth Affairs.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations set out the various requirements to be complied with by persons carrying on pre-school services, for the purpose of securing the health, safety and welfare and promoting the development of pre-school children.

The Child Care (Pre-School Services) (No. 2) Regulations 2006 (S.I. No. 604 of 2006) are revoked by these Regulations.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
52 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2
(Teil: 01 - 6476834 nó 1890 213434; Fax: 01 - 6476843)
nó trí aon díoltóir leabhar.

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
GOVERNMENT PUBLICATIONS,
52 ST. STEPHEN'S GREEN, DUBLIN 2.
(Tel: 01 - 6476834 or 1890 213434; Fax: 01 - 6476843)
or through any bookseller.

€9.65 *(Provisional Price)*



Wt. (B32060). 285. m/yy. Essentra. Gr.30-15.