



Feidhmeannacht na Seirbhíse Sláinte  
Health Service Executive

**‘INTERIM CODE OF PRACTICE IN DETERMINING  
COMPLIANCE WITH CHILD CARE (PRE-SCHOOL SERVICES)  
(No 2) REGULATIONS 2006 FOR THE PRE-SCHOOL  
INSPECTORATE’**

*Disclaimer: This Interim Code of Practice is for use by HSE Pre-School Inspectors to assist them in assessing compliance with the Child Care (Pre-School Services) (No 2) Regulations 2006. The Code is an aid to be used in conjunction with professional judgement. It does not prescribe for every situation or finding within an inspection and therefore professional judgement should always govern the final decision making process. The Code must be read in conjunction with the Regulations and the associated Explanatory Guide.*

**November 2007**

# INTRODUCTION

## 1. Background

This Interim Code is effective from 19<sup>th</sup> November 2007.

Currently there is a lack of standardisation of pre-school processes around the country. The lack of a single operational system for pre-school inspection means that inspection reporting mechanisms vary. Standardisation in processes for pre-school inspection is required to ensure that best practice is established on the basis of the international evidence-base. It is also important to facilitate transparency and accountability for service providers and service users.

The Pre-School Standardisation Project was established to standardise the Inspection Report for the HSE website and the business processes that underpin the report in June 2006. The following documents have been produced to date and are available on the HSE website.

- Pre-School Inspection Tool
- Pre-School Inspection Outcome Report (IOR) – English and Irish version
- Pre-School Inspection Tool & Inspection Outcome Report Guidance Note

As the work on the standardised documentation progressed it became evident that there was a need to develop a Code of Practice for the Pre-School Inspectorate to enable consistent interpretation of the Regulations during the inspection process. A Code of Practice Group (Appendix 1.) was established in May 2007 to draw up an 'Interim Code of Practice'. The group of eight pre-school inspection team members were nominated by the Pre-School Standardisation Project Team (Appendix 2.) and drawn from the four HSE areas.

## 2. Definition

This approved Interim Code of Practice sets out an agreed means for the Pre-School Inspectorate to determine compliance of Pre-school Service Providers with legislative requirements. It has been developed in line with the *Child Care (Pre-School Services) (No 2) Regulations 2006* and the *Child Care Acts 1991 – 2007*.

## 3. Rationale/Aim for Interim Code of Practice

The aim of this interim code of practice is to enable the Pre-School Inspectorate to have a consistent interpretation of the *Child Care (Pre-School Services) (No 2) Regulations 2006* and the *Child Care Acts 1991-2007* as part of their enforcement role. It is a guide which, when used with the Explanatory Guide to the Regulations, can assist the Pre-School Inspectorate in their interpretation of the *Child Care (Pre-School Services) (No 2) Regulations 2006* and the *Child Care Act 1991*.

## 4. Status of the Interim Code of Practice

The Interim Code of Practice has been developed in the first instance by a group of pre-school inspectors nominated to the Code of Practice working group under the auspices of the Pre-School Standardisation Project Team. The Interim Code of Practice is subject to sanction by the Health Service Executive and the Office of the Minister for Children.

The *Child Care (Pre-School Services) (No2) Regulations, 2006* are essentially the only document which have a legal status in a court of law. The Pre-School Inspectorate may give evidence in court against the background of their knowledge, training and discipline as set out in this Interim Code of Practice.

## 5. Scope or Application of the Interim Code of Practice

This Interim Code of Practice:

- Is for the use of the Pre-School Inspectorate.
- Applies to all inspections carried out on pre-school services notified to the HSE.
- Standardises assessment of compliance with Regulations.
- Gives practical guidance to the Pre-School Inspectorate in their task of determining compliance/non-compliance in the pre-school setting.

## 6. Definition of Terms Used

<b>Regulations:</b>	Child Care (Pre-School Services) (No2) Regulations 2006.
<b>Explanatory Guide:</b>	Explanatory Guide – Child Care (Pre-School Services) (No2) Regulations 2006.
<b>Inspection Tool:</b>	HSE Standardised Inspection Tool – Child Care (Pre-School Services) (No2) Regulations 2006.
<b>Inspection Outcome Report IOR:</b>	The compliance questions from the Inspection Tool are the basis for the web-based report. The report contains the outcome of the compliance questions, indicating compliance or non-compliance found, the information on compliance and non-compliance and the action required.
<b>Guidance Note:</b>	Pre-School Inspection Tool and IOR Guidance Note - this should be used in conjunction with the HSE Standardised Inspection Tool and Inspection Outcome Report. It is provided to give instructions on the use of the tool and the IOR.
<b>Service Provider:</b>	Person carrying on a pre-school service.
<b>Manager:</b>	Person operating the pre-school service at the time of inspection.
<b>Paramedic Shears:</b>	A surgical scissors used to remove old wound dressings and cut wound dressings, tape or plasters to size.
<b>Tough Cut Scissors:</b>	A tough cut scissors is a scissors capable of cutting through thick fabrics. Its purpose is to enable heavy clothing materials or cords to be cut in an emergency.

7. **Role of Pre-School Inspectorate Child Care (Pre-School Services) (No 2 )Regulations 2006**

**Regulation 33 Enforcement and Execution**

These Regulations shall be enforced and executed by the Health Service Executive.

**The Pre-School Inspectorate should:**

- Ensure that the evidence gathered during inspection is sufficient to sustain secure judgements.
- Ensure professional judgements are consistent with the inspection evidence and that overall findings reflect the balance of evidence.
- Ensure the communication of findings, orally and in writing, is clear, well argued and based convincingly on evidence gathered before and during the inspection.

**The Pre-School Inspectorate can:**

- Bring breaches of the Regulations to the attention of the District Court under Section 57(b) of the Act. Offences under Part VII of the Child Care Acts, 1991-2007 are outlined under Section 57 of the Act.

8. **Review of Interim Code of Practice**

A review group is to be established under the auspices of the National Specialist, PCCC. The review group will have responsibility for the ongoing development of this document. It will be reviewed within six months and will be subject to a continuous review process.

The next section, *Assessment of Regulations*, of the Interim Code of Practice details criteria to assess all Regulations under their relevant categories. The categories are drawn from the HSE Standardised Inspection Tool and are presented in the same sequence.

# ASSESSMENT OF REGULATIONS

## INFORMATION ON PRE-SCHOOL SETTING

### **Regulation 10 Notice to be given by Persons Proposing to Carrying on a Pre-School Service**

1. Where a person proposes to carry on a pre-school service that person shall, at least 28 days before the commencement of the service, give notice in writing to the Health Service Executive.
2. Notwithstanding paragraph (1) herein, where a person proposes to carry on a pre-school service in a temporary drop-in centre, that person shall, at least 14 days before the commencement of the service, give notice in writing to the Health Service Executive.
3. A notice under paragraph (1) or (2) of this Regulation shall be in the form set out in the Schedule to these Regulations or in a form to the like effect which shall contain all the particulars specified in that form.

### **Agreed Criteria for Assessing Compliance of Regulation 10**

#### **The Pre-School Inspectorate should assess that:**

- All persons proposing to carry on a pre-school service (i.e. sessional, part-time, full day care, child minding, drop-in) have notified the HSE at least 28 days before the commencement of the service. For notified services, compliance with this Regulation will only require assessment at initial inspection. For non-notified services inspected under the granting of a warrant, compliance may require re-assessment at subsequent inspection(s).
- In the case of a temporary drop-in service (i.e. once off event, such as sporting event/conference) the service provider must have notified the HSE 14 days prior to the event.
- A form as per the schedule in the Regulations has been fully completed and returned.

### **Regulation 11 Notification of Change in Circumstances**

1. A person carrying on a pre-school service shall, within 28 days, notify in writing the Health Service Executive of any change in the particulars contained in the notice given by that person in the Schedule to these Regulations or in a form to the like effect.
2. A person who ceases to carry on a pre-school service shall, within 14 days of the cessation of the service, give notice in writing to the Health Service Executive.

### **Agreed Criteria for Assessing Compliance of Regulation 11**

#### **The Pre-School Inspectorate should assess that:**

- Any changes made by the service provider in the notified particulars are given in writing to the HSE within 28 days of that change.

## INFORMATION ON MANAGEMENT AND STAFFING

### **Regulation 8 Management & Staffing**

1. A person carrying on a pre-school service shall ensure that \_
  - (a) a sufficient number of suitable and competent adults are working directly with the pre-school children in the pre-school service at all times.
  - (b) the service has a designated person in charge and a named person who is able to deputise as required, and
  - (c) 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 paragraph 1(b) is on the premises.
2. A person carrying on a pre-school service shall ensure appropriate vetting of all staff, students and volunteers who have access to a child-
  - (a) by reference to past employer references in particular the most recent employer reference, in respect of all staff, and
  - (b) by reference to references from reputable sources, in respect of all students and volunteers, and
  - (c) by acquiring Garda vetting from An Garda Síochána when An Garda Síochána have set down procedures to make such vetting available, and
  - (d) in circumstances where Garda vetting is not available for staff, students and volunteers who have lived outside the jurisdiction, by ensuring that these persons provide the necessary police vetting from other police authorities.
3. Such vetting procedures shall be carried out prior to any person being appointed or assigned or being allowed access to a child in the pre-school service.

### **Agreed Criteria for Assessing Compliance of Regulation 8**

#### **The Pre-School Inspectorate should assess that:**

- Adult/child ratios as per the *Explanatory Guide*<sup>1</sup> are adhered to.
- References are available for all employees. A copy of these references must be available on file. It is particularly important that contact is made by the employer with the employee's most recent employer. Students and volunteers must have on file satisfactory references from their college or from other reputable sources (persons known but not related). All references should be validated by the service provider by means of a phone call to the referee. A staff record book should be maintained including a photograph of each staff member. Garda vetting will be mandatory for pre-school employees once An Garda Síochána has this service operational.

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<sup>1</sup> Explanatory Guide – Child Care (Pre-School Services) (No 2) Regulations 2006.

### **Regulation 12 Number of Pre-School Children who may be catered for**

1. After inspection of a premises, the Health Service Executive may make a proposal to fix the maximum number of pre-school children who may be catered for at the same time in a premises in which a pre-school service is being carried on. The Health Service Executive shall, when making such a proposal, have regard to the age range of the pre-school children, the adult/child ratios, the group size and the space per child. The Executive shall notify in writing the person carrying on the service of its proposal and of the reasons for it and the notification shall include a statement that the person concerned may make representations to the Executive within 21 days of the receipt by that person of the notification.
2. A person carrying on a pre-school service who has been notified of a proposal under paragraph (2) of this Regulation may, within 21 days of the receipt of the notification, make representations in writing to the Chief Executive Officer of the Health Service Executive and the Chief Executive Officer or his designated officer shall –
  - (i) Before deciding the matter, take into consideration any representations duly made to it under this paragraph in relation to the proposal, and
  - (ii) Notify the person in writing of the decision and of the reasons for it.
3. The person carrying on the pre-school service shall comply with the decision referred to at paragraph 2 herein.
4. Without prejudice to the obligation to comply set out in paragraph (3), such person may apply in writing to the Chief Executive Officer of the Health Service Executive at any time after the decision in paragraph (2) is made, seeking amendment of the decision on the grounds that the circumstances which led to the decision have changed.
5. Upon receipt of such application, the Chief Executive Officer or his designated officer shall consider the representations made and decide on whether the maximum number fixed be amended.
6. The decision referred to in paragraph (5) and the reasons for it shall be notified to the person carrying on the pre-school service who shall comply with such decision.

### **Agreed Criteria for Assessing Compliance of Regulation 12**

#### **The Pre-School Inspectorate should assess that:**

- The numbers in the service have been fixed in accordance with the *Explanatory Guide* for Regulation 18(b) (Premises and Facilities) and Regulation 8 1(a) (Management and Staffing).

# INFORMATION ON HEALTH, WELFARE AND DEVELOPMENT OF THE CHILD

## **Regulation 5 Health, Welfare and Development of the Child**

A person carrying on a pre-school service shall ensure that each child's learning, development and well being is facilitated within the daily life of the service through the provision of the appropriate opportunities, experiences, activities, interaction, materials and equipment having regard to the age and stage of development of the child and the child's cultural context.

### **Agreed Criteria for Assessing Compliance of Regulation 5**

With regard to the age, stage of development and the child's cultural context:

#### **The Pre-School Inspectorate should assess that:**

(The physical well-being and development of children is adequately facilitated)

- The provision of personal care that meets their basic physical needs i.e. food and drink, toileting, hygiene, sleep / rest, mobility, and general comfort. While requirements for these needs are identified under some of the other Regulations, a basic level of needs must first be adequately met before the meeting of other needs can be achieved (Maslow 1954).
- Daily opportunities for children to engage in activities that stimulate their physical development (other than drop-in services).

(The emotional well-being and social development of the child is facilitated)

- Staff members provide regular, positive and meaningful interactions with the children in their care.
- The dignity of children is observed to be supported at all times, especially during personal care procedures e.g. toileting, feeding, dressing etc.
- Staff members interpret and respond appropriately to children's non-verbal cues for tiredness, hunger, discomfort, pain, anxiety, boredom etc.
- Daily routines and care procedures are predictable (other than drop-in services). There should be minimal changes of staff providing care, especially for infants. There should be an established daily routine that includes a reasonably repetitious sequence of events as this enables children to prepare mentally for the next event, making compliance more likely and helping children feel secure (French 2003, p85).
- Behaviour management practices in the service are consistent and positive, thus enabling children to understand the consequences of their behaviours and teaching them how to deal appropriately with their own and others behaviours.
- Children have daily opportunities to experience individual attention enabling them to feel valued.
- Interactions with other children attending including siblings are positively supported enabling them to learn how to relate to others.
- Partnership with the children's parents or guardians is actively maintained e.g. register updates, communication book and verbal feedbacks.
- Children have daily opportunities to learn independence, how to care for themselves and their surroundings, in accordance to their age and stage of development (other than drop-in services).
- Staff members demonstrate sensitivity towards the culture of children attending.
- The programme of care provides opportunities for children to be made aware of the broader social community (other than drop-in services).

(That learning and development opportunities are adequately provided through materials and equipment)

- Developmentally appropriate play materials and equipment are available to the children attending.
- Suitable materials and equipment deemed necessary for children attending with special requirements.
- The quantity of suitable play materials and equipment is sufficient for the numbers of children sharing each play area.
- The variety of play materials and equipment provided is sufficient to effectively stimulate children's gross and fine motor development; creative and imaginative play; and thinking and reasoning skills (i.e. different types of play materials to achieve the same outcome). Toys and play materials for infants include a variety of textures and natural materials for providing greater sensory stimulation (other than a drop-in services and recommended only for childminders).

(That learning experiences and cognitive development for children is adequately facilitated within the daily life of the service)

- The play environment is uncluttered allowing space for crawling, exploring or free movement.
- The play environment is well laid out to maximise interest in and access to materials and equipment.
- The indoor and outdoor (where relevant) environment provides a range of developmentally appropriate, challenging, diverse, creative and enriching experiences for all children.
- There is a written pre-planned broad, balanced programme of care that promotes the children's gross and fine motor, creative, social, emotional and intellectual development (other than drop-in services).
- Programmes of care devised by a lead professional for children attending with special requirements are implemented as prescribed.
- Children attending for more than 3.5 hours a day are offered opportunities to learn and play independently i.e. free play.
- Children attending for more than 3.5 hours a day are offered opportunities for a stimulating change of environment.
- Activities that involve children's passive participation (e.g. tv. /dvd.) shall have appropriate content and time restrictions, and include an adult commentary in order for children to make sense of what they are seeing and hearing and to provide opportunities for children's feedback and learning.
- The programme of care provides opportunities and experiences for children to learn about their own and other cultures (other than drop-in services).
- There is evidence that the programme of care is periodically (i.e. weekly, monthly or at each term) reviewed and progressed according to the children's developmental stage and their individual interests and capabilities.

(The service is responsive to the children's learning, development and well-being on an individual basis)

- Staff members are observed to respond to and engage meaningfully with children on an individual basis.
- There is evidence that children are observed on an individual basis and that their progress and needs are considered when the programme of care is reviewed. In accordance with the child's age, stage of development, special requirements or capabilities, the service maintains a periodical written record of key observation on the child's learning, development and well-being (other than drop-in services).
- There is evidence of a partnership approach with parents or guardians where key observations relating to their child's learning, development or well-being are periodically communicated to them (either verbal or written).
- There is evidence of a partnership approach with a lead professional for children attending with special requirements who require additional supports.
- At inspection the activities engaged in are observed to be appropriate to the age, stage of development, needs and capabilities of the children attending.

- Positive responses in children are observed. Taking into account the children's age, stage of development, needs and capabilities and length of time in the service children should: appear familiar and relaxed in their environment and with their adult carers; demonstrate familiarity with the daily routine; respond confidently and appropriately to directions, corrections and reassurances given; appear interested, absorbed and enthusiastic in activities engaged in; and in general appear content and happy.

### **Regulation 9 Behaviour Management**

1. A person carrying on a pre-school service shall ensure that no corporal punishment is inflicted on a pre-school child attending the service.
2. A person carrying on a pre-school service shall ensure that no practices that are disrespectful, degrading, exploitive, intimidating, emotionally or physically harmful or neglectful are carried out in respect of any child.
3. A person carrying on a pre-school service shall ensure that written policies and procedures are in place to deal with and to manage a child's challenging behaviour and to assist the child to manage his or her behaviour as appropriate to the age and stage of development of the child.

### **Agreed Criteria for Assessing Compliance of Regulation 9**

#### **The Pre-School Inspectorate should assess that:**

- There is no evidence of corporal punishment being inflicted on a pre-school child attending a pre-school service.
- There is no evidence that practices in respect of children attending the service are disrespectful, degrading, exploitive, intimidating, emotionally/physically harmful or neglectful.
- Staff members in the service demonstrate knowledge of what behaviour management methods are acceptable and unacceptable to use.
- There should be written behaviour management policies and procedures in the service. These should include procedures on how to manage and deal with a child's challenging behaviour and include how to assist the child to manage their own behaviour appropriate to their age and stage of development.

## **INFORMATION ON PREMISES AND FACILITIES**

### **Regulation 18 Premises and Facilities**

A person carrying on a pre-school service shall ensure that –

- (a) the premises are of sound and stable structure, are safe and secure and are suitable for the purposes of providing a pre-school service,
- (b) adequate space per child is provided in the premises,
- (c) the premises, fixtures and fittings are kept in a proper state of repair and in a clean and hygienic condition and protected from infestation,
- (d) suitable and secure storage facilities are provided for cleaning chemicals and unsafe, toxic, dangerous or hazardous materials, substances or equipment,
- (e) adequate and suitable storage is provided for prams, pushchairs, carrycots, play and work equipment and personal belongings, and
- (f) the premises are adequately rodent proofed in a manner which does not compromise the safety of the pre-school children or constructed in such a manner as to prevent the ingress of pests.

### **Agreed Criteria for Assessing Compliance of Regulation 18**

**The Pre-School Inspectorate should assess that:**

- In considering the suitability of the premises reference should be made to the *Building Regulations*.
- The building fabric, including walls, roof, and foundation floors are structurally sound, weather tight, and water tight and internal finishes are maintained in reasonable repair so that it is not prejudicial to the health of the children attending the service and offers a sufficient level of protection against hazards such as extremes of temperatures, mould, dust, flaking paint, entry noise and fumes. Surfaces that need to be washed regularly should be non-porous, smooth and easy to clean.
- Windows are weather-tight and water-tight.
- Ceiling heights are adequate for comfort of the occupants and allow for sufficient air circulation.
- Pre-school rooms are used for the sole use of the pre-school facility during the hours of operation.
- The premises is suitable in that there are no hazards inherent in relation to access to the building or escape from the building in an emergency.
- Adequate space has been provided for each pre-school child attending the pre-school service having regard to the space requirements and guidance set out in the *Explanatory Guide*.
- The premises are maintained in a clean condition and adequate arrangements are in place to maintain environmental hygiene.
- Cleaning chemicals, unsafe, toxic, dangerous or hazardous materials, substances or equipment are stored safely. These should be properly labelled and be inaccessible to children i.e. stored in a locked room or cabinet, fitted with child proof locks on a high level shelf.
- Storage areas have adequate lighting and are maintained in a clean condition.
- Separate and secure storage (not accessible to children) is provided for sharp equipment, medication and garden equipment etc.
- There is adequate space allocated for the storage of prams, pushchairs, carrycots; play and work equipment and the personal belongings of both staff and children.

- Reasonable arrangements are in place for keeping the premises free from insects and pests which may include :
  - Keeping external areas free from materials which will attract and/or provide harbourage for pests
  - Maintaining the building envelope (exterior elements of the building) in a pest proof condition.
  - The application of rodent bait and insecticides by competent persons either as a preventative or reactive measure

(Where rodent bait and pesticides are to be applied, the service provider can demonstrate that they are applied by a competent person and in a manner which will not be hazardous to the children and staff).

*Note: documentary evidence required to assess compliance with this Regulation, e.g. engineers reports may be requested under Regulation 29.*

### **Regulation 19 Heating**

A person carrying on a pre-school shall ensure that –

- (a) the premises are adequately heated throughout with suitable means of heating from the time of occupancy of the premises to the end of the occupancy, having regard to the needs of the pre-school children attending the service, and
- (b) a heating system liable to emit into the premises offensive or harmful gases, fumes or odours is not permitted.

### **Agreed Criteria for Assessing Compliance of Regulation 19**

**The Pre-School Inspectorate should assess that:**

- All rooms are heated in order to ensure a comfortable temperature.
- The recommended room temperature is 16°C – 20°C (SIDS UK) in sleep rooms and 18°C – 22°C in other areas.
- The function for which the room is used is considered i.e. active play, quiet play and sanitary accommodation.
- Heating appliances are in good working order and are properly maintained.
- Secure childproof guards are fixed over all heating and other appliances which are within reach of children (e.g. storage heaters, radiators, burco boilers, hot water cylinders, heating pipes etc.).

## **Regulation 20 Ventilation**

A person carrying on a pre-school service shall ensure that suitable and adequate means of ventilation is provided in the premises.

### **Agreed Criteria for Assessing Compliance of the Regulation 20**

**The Pre-School Inspectorate should assess that:**

- Ventilation is provided in all rooms including playrooms, sleep rooms, dining rooms, staff rooms, kitchens, utility rooms/ laundry rooms and sanitary accommodation.
- All occupied rooms have natural ventilation by means of openable windows, of which the openable area must be equivalent to at least one twentieth of the floor area of the room and a permanent vent with a minimum area of 6500mm<sup>2</sup>. Some windows will have vents incorporated into the frame.
- Where complex ventilation systems are in place it may be deemed necessary to seek further information e.g. engineer reports, maintenance records etc.
- Where necessary suitable equipment can be used to check if following vent rates are being achieved.

The following ventilation guidelines should be capable of being achieved at the sanitary accommodation within the premises

<b>Air Changes per hour</b>	<b>Area</b>
<b>10-15 air changes per hour</b>	<b>Laundry areas etc.</b>
<b>3 air changes per hour etc.</b>	<b>Water closet compartments, sluice rooms</b>
<b>2 air changes per hour</b>	<b>Lobbies, stairways and other access areas</b>
<b>3 air changes per hour</b>	<b>Play and rest areas</b>

- All sanitary accommodation and nappy changing areas are ventilated directly to the external air. Sanitary accommodation does not communicate directly with any room i.e. an intervening ventilated lobby, hall or corridor which is permanently ventilated to the external air, shall be provided to all sanitary accommodation and nappy changing areas.

## **Regulation 21 Lighting**

A person carrying on a pre-school service shall ensure that suitable and adequate lighting is provided in the premises.

### **Agreed Criteria for Assessing Compliance of Regulation 21**

**The Pre-School Inspectorate should assess that:**

- Adequate means of natural lighting is provided, supplemented by safe and suitable artificial lighting where necessary.
- Uncovered light fittings are provided with inverted shades, as necessary to prevent glare.
- Fluorescent tube type lighting have shatterproof diffuser covers.
- Where necessary suitable equipment can be used to check lighting levels.
- Suitable measures to control lighting levels should be used in designated sleep areas.

*Examples of minimum lighting levels to be achieved in various areas are as follows:*

<b>AREA</b>	<b>LIGHTING LEVELS</b>
Play Areas/Dining Areas	300 lux
Stairs	200 lux
Bathrooms/Sanitary Conveniences	200 lux
Corridors	100 lux
Kitchens	400 lux
Offices	300 lux
Staffrooms	300 lux
Hall and Landings	300 lux

## **Regulation 22 Sanitary Accommodation**

A person carrying on a pre-school service shall ensure that adequate and suitable sanitary facilities are provided within the building.

### **Agreed Criteria for Assessing Compliance of Regulation 22**

**The Pre-School Inspectorate should assess that:**

#### Water Closets

- There is one water closet and one wash-hand basin per 10 children requiring those facilities.
- Staff water closets are available and based on one water closet and one wash hand basin per 8 users.
- Children's water closets should be of suitable size for the age group catered for

or modifications such as 'hop-up's' or adapted seats should be provided.

- There is sufficient space for staff to assist a child.
- There are individual cubicles provided to ensure privacy for the individual child.
- Wash-hand basins with a constant supply of hot and cold water are provided.
- Suitable hand washing and hand drying facilities are provided with liquid soap and paper towels.
- The wash-hand basins, soap, and hand-drying facilities are at a suitable level for children to access.

#### Nappy Changing

- Suitable and adequate nappy changing facilities are provided. These must be separated from occupied rooms including sleep rooms.
- The changing unit is at suitable height for adults to access – i.e 90cm
- The unit is smooth and easily cleanable.
- Wash-hand basins, with hot and cold water, and suitable hand washing and hand drying facilities are available and easily accessible to adults.
- Adequate storage is provided for children's individual toilet requisites.

### **Regulation 23 Drainage and Sewage Disposal**

A person carrying on a pre-school service shall ensure that suitable and effective means of drainage and sewage disposal are provided to the premises.

#### **Agreed Criteria for Assessing Compliance of Regulation 23**

##### **The Pre-School Inspectorate should assess that:**

- A sealed and properly ventilated drainage system which properly discharges to the public sewer or suitably located septic tank / treatment system exists for foul water .
- The system has adequate capacity and is not prone to blockages.
- There should be no direct openings to the foul-water drainage system within the envelope of the building.
- Sanitary ware must have adequate water seals and the system properly designed and vented to prevent foul odours entering the building.
- The system must be capable of removing foul water from the building and disposing of it without being prejudicial to the health of the occupants.

(In cases of discharge to a septic tank or other treatment system)

- The tank itself must be impermeable to liquids.
- The tank must have adequate capacity for the number of appliances or occupancy of the building, and be properly ventilated.
- The tank must not be prejudicial to health or pollute a water supply or water course.
- Percolation areas for effluent must be of adequate size.
- Septic tanks should not be accessible from the outdoor play area.
- Surface water from roofs and paved areas must be properly discharged to a combined sewer, storm water sewer, soak away or watercourse. Paved areas should be correctly sloped to avoid excessive ponding of surface water particularly at entrances and on access paths. Surface water must not discharge into a septic tank.
- The septic tank is desludged annually by a reputable person.

*Note: full investigation of drainage will only need to be carried out in the event of a problem. A referral to the Local Authority may be appropriate.*

## **Regulation 24 Waste Storage and Disposal**

A person carrying on a pre-school service shall ensure that all waste and other refuse is stored hygienically and disposed of frequently and in such a manner as not to cause a nuisance.

### **Agreed Criteria for Assessing Compliance of Regulation 24**

**The Pre-School Inspectorate should assess that:**

Internally

- Soiled nappies are stored in a manner that will not give rise to malodours and cause a risk of infection (e.g sealed airtight containers, not accessible to children and removed from premises daily).
- Food & hazardous waste are stored in covered containers.
- Waste is removed from the building on a daily basis and bins are maintained in good repair and a clean condition.
- Waste is stored in a manner which is not prejudicial to health.

Externally,

- Waste is stored in rigid covered washable containers and fenced off from external play area.
- There are sufficient number of waste bins to contain all waste.
- Bins and storage areas are regularly cleaned and disinfected as not to cause a nuisance.
- Waste is collected and removed on a frequent basis.

## **Regulation 25 Equipment and Materials**

A person carrying on a pre-school service shall ensure that -

- (a) there is sufficient furniture, play and work equipment and materials and that such furniture, equipment and materials are suitable, non-toxic, in a proper state of repair and are maintained in a clean and hygienic condition and,
- (b) there is an appropriate supply of clean bedding, towels and spare clothes for the pre-school children.

### **Agreed Criteria for Assessing Compliance of Regulation 25**

**The Pre-School Inspectorate should assess that:**

- Equipment, materials, furnishings and play areas are sturdy, safe and in good repair and are accompanied with a recognised safety standard (e.g. kite mark, CE mark, British or Irish standards etc.).
- Equipment, furnishings, toys and play materials have smooth, non-porous surfaces or washable fabrics that are easy to clean.
- There is a sufficient amount of furniture, play and work equipment for the number of children being cared for.
- Furniture is durable and of suitable size or suitably adapted for the children using them.

- Tables are at waist height of the intended child user and the child's feet are able to reach a firm surface while the child is seated.
- Toys, play equipment and outdoor and indoor equipment used by the pre-school children is clean, in good repair and free from rough edges, sharp corners, pinch and crush points, splinters and exposed bolts.
- The service provider can demonstrate that all equipment and materials are non-toxic.
- A supply of clean bedding, towels and spare clothes are provided.
- All bedding is washable.
- Bedding can be either for individual use or is changed after each use.
- Separate storage for soiled and clean linen is provided.

*Note: documentary evidence required to assess compliance with this Regulation may be requested under Regulation 29.*

### **Regulation 28 Facilities for Rest and Play**

A person carrying on a pre-school service shall ensure that -

- (a) adequate and suitable facilities for a pre-school child to rest during the day and night (if an overnight pre-school service is provided) are provided, and
- (b) adequate and suitable facilities for a pre-school child to play indoors and outdoors during the day are provided, having regard to the number of pre-school children attending the service, their age and the amount of time they spend in the premises.

### **Agreed Criteria for Assessing Compliance of Regulation 28**

**The Pre-School Inspectorate should assess that:**

(Rest Facilities)

- A separate area is provided for sleep or rest purposes where lighting and noise levels can be appropriately controlled, is required for all children in overnight facilities and for children aged 0-2 years in day care facilities.
- Overnight pre-school services are required to provide a standard cot for every child under 2 years of age and a separate bed for every child over 2 years of age. The location of cots and beds must provide appropriately for the age range, genders, and other siblings sharing the same area.
- Daytime pre-school services are recommended to provide separate cots for children up to 2 years of age. Where this is not deemed feasible, the following minimum requirements will apply, based on children's general napping patterns (HSE Child Mental and Emotional Health – A Review of Evidence page 60)

<b>Age</b>	<b>Night time sleep needs (approx)</b>	<b>Day time nap needs (approx)</b>	<b>Minimum cot/bed provision</b>
6 months	10-11 hours	2 naps 2-3 hours each	1 standard cot per child
9 months	10-12 hours	2 naps 1-2 hours each	Standard cots for 2/3 <sup>rd</sup> children
1 year	10-12 hours	2 naps 1-2hours each	Standard cots for 2/3 <sup>rd</sup> children
18 months	11-12 hours	1 nap 1-2 hours	Standard cots for 1/2 children
2 years	11-12 hours	1 nap	Floor bed/mats

- Adequate space is allowed per cot (half a meter is generally regarded as safe for infection control).
- Suitable rest facilities in a day care service for children over 2 years are provided (e.g. easily cleanable sleep mat or similar).
- Cots are of a standard type, in good condition, of good design, solid and stable.
- The cot mattress complies with safety standards and is firm, well-fitting and easily cleanable.
- Travel cots, pillows/cushions, sofas, bean-bags, rocking cradles, car seats/buggies/bouncinettes are not in use.
- Individual clean bedding should be available for each child using a sleep or rest facility.

(Indoor Play)

- An adequate number of suitable playrooms for children are provided based on the age groups and numbers attending the service.
- The layout of the play space allows children to move freely and be adequately supervised within the rooms.

(Outdoor Play)

- The area is of adequate size for the numbers using it at any one time thus allowing children active play and to run safely without undue collision.
- The shape and size of the area allows for adequate supervision of pre-school children.
- The play area is easily accessible from the pre-school premises.

## INFORMATION ON SAFETY MEASURES

### **Regulation 6 First Aid**

There shall be a suitably equipped first-aid box for children in the premises.

### **Agreed Criteria for Assessing Compliance of Regulation 6**

**The Pre-School Inspectorate should assess that:**

- A suitably equipped first-aid box should be on the premises with reference to *Appendix C* in the *Explanatory Guide* for list of contents.

### **Regulation 7 Medical Assistance**

A person carrying on a pre-school service shall ensure that –

- (a) adequate arrangements are in place to summon medical assistance promptly in an emergency, and
- (b) a protocol is in place for the administration of medication

### **Agreed Criteria for Assessing Compliance of Regulation 7**

**The Pre-School Inspectorate should assess that:**

- There is immediate access to an operational telephone and emergency contact numbers in an emergency.
- Staff can demonstrate how an emergency is dealt with.
- The service has a written protocol in place for the administration of medicines.

### **Regulation 16 Fire Safety Measures**

1. A person carrying on a pre-school service shall keep a record in writing of -
  - (a) all fire drills which take 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) of this Regulation shall be open to inspection by –
  - (a) A parent or guardian of a pre-school child attending or proposing to attend the service,
  - (b) Every person working in the service, and
  - (c) An authorized person.
3. A notice of the procedures to be followed in the event of fire shall be displayed in a conspicuous position in the premises.

### **Agreed Criteria for Assessing Compliance of Regulation 16**

#### **The Pre-School Inspectorate should assess that:**

- A record in writing of fire drills which have been completed on the premises is maintained.
- A record of the number, type and maintenance record of fire fighting equipment and smoke alarms are maintained.
- These records are open to inspection by parents of children attending or proposing to attend the service, individuals working in the service and an authorised person.
- A fire drill procedure specific to the pre-school is displayed in a conspicuous position in the premises.
- Reference should be made to the *Fire Safety in Pre-Schools 1999* which is intended to assist persons operating a pre-school service in discharging their statutory fire safety responsibilities under the *Fire Services Act 1981*.

*Note: compliance with these record requirements alone does not imply that the service is compliant with fire safety requirements. Referrals to the Fire Safety Officer should be made where necessary.*

## **Regulation 27 Safety Measures**

A person carrying on a pre-school service shall take all reasonable measures to safeguard the health, safety and welfare of a pre-school child attending the service and in particular shall ensure that –

- (a) all heat emitting surfaces are protected by a fixed guard or are thermostatically controlled to ensure safe surface temperatures.
- (b) hot water provided for use by a pre-school child is thermostatically controlled to ensure a safe temperature,
- (c) any garden or external play area is so fenced and doors and gates are so secured as to prevent a pre-school child gaining unsupervised access to a roadway or other source of danger and to prevent unauthorised access to the garden or external play area,
- (d) ponds, pits and other hazards in any garden or external play area are so fenced as to ensure the safety of a pre-school child attending the service,
- (e) steps are taken to prevent the spread of infection, and
- (f) operational procedures for the safe conduct of outings are in place and a pre-school child is safely escorted on any outing.

### **Agreed Criteria for Assessing Compliance of Regulation 27**

*Note: this is a very broad ranging and overarching general requirement covering not only safety but also health and welfare of children attending the service.*

*A non – compliance under a number of other specific Regulations (e.g. Reg 8 Management & staffing, Reg 18 premises & facilities etc.) would also mean that there is a non – compliance with this statement at the beginning of Regulation 27. However this general provision should only be used where situations are encountered and a non-compliance does not fit under a more specific Regulation or there are serious issues concerning the management of health safety & welfare in premises.*

The Key definitions here for assessing compliance are “reasonable measures” and “health safety and welfare of children”.

A premises would have to be deemed non-compliant where an effective safety culture cannot be demonstrated and /or where significant hazards, that pose an unacceptable risk, are found that have not been effectively addressed.

*(Note: Safety, Health and Welfare at Work Act 2005 –section 20 requires written health & safety policies and risk assessments for employees. However advice from the Health and Safety Authority suggests that this relates to occupational health & safety and need not cover children attending the service).*

### **The Pre-School Inspectorate should assess that:**

(General)

- An effective system for health, safety and welfare management is in place for the children attending the service.
- There is evidence of effective communication on health, safety and welfare issues and staff understand their responsibilities in this regard.
- There is evidence of risk assessments and regular reviews of same (may not need to be documented).
- There is adequate safety training and safety awareness (formal and informal).
- Appropriate actions take place and procedures are in place to reduce or eliminate risks.

#### (Heating Systems)

- Secure childproof guards are fixed over all heating and other appliances which are within reach of children (e.g. storage heaters, radiators, boiler, hot water cylinders, heating points).
- Heating appliances are thermostatically controlled so that they do not reach a temperature where they could cause burns or scalding (a temperature of below 50°C or less is considered safe). This will involve measurement of surface temperatures of radiators and other heating devices. During inspections in warmer months it may not be possible to assess compliance fully. Inspectors will have to rely on a combination of verbal confirmation, presence of thermostats and previous inspection records.
- Open fires and portable (gas or oil) heating appliances of any type should be avoided in pre-school premises.

*(Note: if radiators are thermostatically controlled they must still be capable of heating the room or space to the required temperature).*

#### (Hot Water)

- A thermostatic control is in place and can regulate the hot water temperature to all sinks to which the children have access. (a temperature of 43°C or less is considered safe). The Inspectorate may need to ask the service provider to show the location and setting of the thermostat and carry out temperature measurement at one or more sinks to help establish compliance.

#### (External Play Areas)

- Any external area to which children have access is fenced off securely having regard to the children's age and gates are secured and not openable from the outside or by children.
- That all hazards including plants (National poisons information centre, Beaumont) (see comments above on general requirement) in the external play area have been identified and fencing is provided where necessary. Fencing should be reasonably secure having regard to the age of the children (the provision of a reasonable boundary fence alone is not going to prevent unauthorised access / egress so adequate supervision of the play area when in use will also be necessary. Inspectors should consider how easy it is to supervise all areas to which children have access).

#### (Infection Control)

- Steps are taken to prevent the spread of infection through:
  - personal hygiene practices
  - environmental hygiene practices
  - food hygiene practices
  - knowledge/written policies of the service provider/manager on exclusion of children and staff with defined conditions.

#### (Operational Procedures for the Safe Conduct of Outings)

- An effective procedure is in place for the management of safety including adequate adult child ratios appropriate to age range of children and the type of outing.
- There is an effective delegation and communication of responsibility for safety (e.g. who is responsible for which children, who has overall responsibility for ensuring everyone gets on the bus etc.).
- Evidence of risk assessment in relation to the venue (e.g. contact with animals, area for dismounting vehicles, water hazards, busy roads to cross, access to the general public etc) has taken place.
- There is training and awareness (formal and informal) for all staff working in the service.
- Actions/procedures taken to reduce or eliminate risks are carried out.

## **INFORMATION ON FOOD AND DRINK**

### **Regulation 26 Food and Drink**

1. A person carrying on a pre-school service shall ensure that suitable, sufficient, nutritious and varied food is available for a pre-school child attending the service.
2. Where food is consumed on the premises by a pre-school child, the person carrying on the pre-school service shall ensure that –
  - (a) adequate and suitable facilities are provided for the storage, preparation, cooking and serving of food
  - (b) Adequate and suitable eating utensils, hand washing, wash-up and sterilising facilities are provided.
3. This Regulation is without prejudice to:
  - (a) the provisions of the Health Act 1947 and Regulations made pursuant to that Act
  - (b) the provisions of the Food Safety Authority of Ireland Act 1998 and
  - (c) any secondary legislation made pursuant to the European Communities Act 1972 relating to food safety

### **Agreed Criteria for Assessing Compliance of the Regulation 26**

#### **The Pre-School Inspectorate should assess that:**

- Where a service is providing food and drink for children the Service Provider shall ensure that suitable, sufficient, nutritious and varied food is provided in accordance with the *Food and Nutrition Guidelines for Pre-School Services* having regard to the age, stage of development and special needs of children.
- Where parents or outside caterers provide food and drink for children the Service Provider shall ensure that suitable, sufficient, nutritious and varied food is provided in accordance with the *Food and Nutrition Guidelines for Pre-school Services* having regard to the age, stage of development and special needs of children.
- Where food is consumed on the premises there should be adequate and suitable facilities for the storage preparation and serving of food.
- Developmentally appropriate feeding utensils should be provided for consuming foods.
- If children bring their own lunch boxes these should be stored in a location where there is no risk of contamination.
- High risk food (e.g. meat and dairy products) must be suitably refrigerated.
- A wash-hand basin with a constant supply of hot and cold water, bactericidal soap and paper towels must be provided for staff that prepare or handle food.
- Food equipment and utensils must be washed and disinfected after use.
- Where a service is preparing infant formula suitable sterilising facilities should be in place.
- Infant formula should be prepared in accordance with *FSAI Guidance Note 22 Information relevant to the Development of Guidance Material for the safe feeding of Reconstituted Powdered Infant Formula*.
- Reconstituted milk shall be stored under refrigeration.
- Where possible a separate self-contained area should be provided for preparation of babies food/bottles. (milk kitchen)

- The milk kitchen may require the following:
  - A sink serviced with a constant and instantaneous supply of hot and cold water.
  - A wash-hand basin with suitable hand washing and hand drying facilities.
  - Heating and sterilisation facilities.

Alternately this facility may be provided in the main kitchen or a designated section of the “Baby Room” if these areas are deemed adequate and suitable.

Pre-schools are subject to the provisions of the *Food Hygiene Regulations 1950-89, the European Communities (Hygiene of Foodstuffs) Regulations 2006 (SI No 369) Regulation, EC 178/2002 and Regulation (EC) No 852/2004*. With regard to food and drink delivery, storage, preparation and serving these take precedence with regard to enforcement. These are enforced in pre-school services by the Environmental Health Officers Service.

Additional guidance as to adequate and suitable facilities may be found in *IS340* and *IS344*.

## **INFORMATION ON RECORDS**

### **Regulation 13 Register of Pre-School Children**

1. Subject to paragraph (3) of this Regulation a person carrying on a pre-school service shall keep a register and shall enter in the register the following particulars in respect of each pre-school child attending the service –

- (a) The name and date of birth of the pre-school child,
- (b) The date on which the pre-school child first attended the service,
- (c) The date on which the pre-school child ceased to attend the service,
- (d) The name and address of a parent or guardian of the pre-school child and, a telephone number where that parent or guardian or a relative or friend of such child can be contacted during the hours of operation,(
- (e) Authorisation for the collection of the pre-school child,
- (f) Details of any illness, disability, allergy or special need of a pre-school child, together with all the notes relevant to the provision of special care or attention,
- (g) The name and telephone number of the pre-school child's general practitioner,
- (h) Record of immunisations, if any, received by the pre-school child, and
- (i) Written parental consent for appropriate medical treatment in the event of an emergency.

2. The register shall be open to inspection on the premises by:

- (a) A parent or guardian of the pre-school child attending the service but only in respect of information entered in the register concerning that child,
- (b) A person working in the pre-school service who is authorised in that behalf by the person carrying on the service and
- (c) authorised person, and

3. A person carrying on a pre-school service in a drop-in centre or in a temporary drop-in centre shall enter in the register the particulars referred to in paragraph (1) of this Regulation, except for subparagraphs (b), (c), (g), (h) and (i).

### **Agreed Criteria for Assessing Compliance of Regulation 13**

#### **The Pre-School Inspectorate should assess that:**

- The service has written records recording relevant details on every pre-school child attending the service. These are made available to staff who are authorised in that behalf by the person carrying on the service, parents/guardians and/or to other authorised persons.

## **Regulation 14 Records**

1. A person carrying on a pre-school service shall keep a record in writing 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 person, including volunteers and students working in the service,
  - (b) All information generated under Regulation 8 (2)
  - (c) Details of the maximum number of pre-school children catered for at any one time,
  - (d) Details of the type of service and age range group,
  - (e) Details of the staff/child ratios in the service, and
  - (f) Type of care or programme provided in the service,
  - (g) The facilities available,
  - (h) The opening hours and fees,
  - (i) Policies and procedures of the service,
  - (j) Details of attendance by a pre-school child on a daily basis,
  - (k) Details of staff rosters on a daily basis,
  - (l) Details of any medicine administered to a pre-school child attending the service with a signed consent and,
  - (m) Details of any accident or incident involving a pre-school child.
2. The record referred to in paragraph (1) and the documentation and records referred to in paragraph (5) of this Regulation shall be open to inspection on the premises by an authorised person.
3. Save for the information maintained in the record under Regulation 14 (1)(b) the record referred to in paragraph (1) of this Regulation shall be open to inspection on the premises by a parent or guardian of a pre-school child attending the service but only in respect of information entered in the register concerning that child.
4. For the purposes of operating the pre-school service, the record referred to in paragraph (1) other than the information maintained under Regulation 14 (1)(b), shall be open to inspection on the premises by a person working in the service who is authorised in that behalf by the person carrying on the service.
5. A person carrying on a pre-school service shall maintain all documents and records relating to references and Garda and police vetting obtained under Regulation 8(2).

### **Agreed Criteria for Assessing Compliance of Regulation 14**

#### **The Pre-School Inspectorate should assess that:**

- All written records as outlined in this Regulation are available on the premises.
- Records of attendance should include arrival and departure time.

### **Regulation 15 Information for Parents**

A person carrying on a pre-school service shall provide a parent or guardian of a pre-school child proposing to attend the service with the information referred to in Regulation 14 (1)(a),(c),(d),(e),(f),(g),(h) and (i) of these Regulations.

#### **Agreed Criteria for Assessing Compliance of Regulation 15**

**The Pre-School Inspectorate should assess that:**

- All information under this Regulation is available to parents.

### **Regulation 17 Copy of Act and Regulations**

A person carrying on a pre-school service shall keep a copy of Part VII of the Child Care Act 1991 and of these Regulations on the premises and the said copies shall be made available on demand for inspection by –

- (a) A parent or guardian of a pre-school child attending or proposing to attend the service,
- (b) Every person working in the service, and
- (c) An authorised person.

#### **Agreed Criteria for Assessing Compliance of Regulation 17**

**The Pre-School Inspectorate should assess that:**

- A copy of *Part VII of the Child Care Act 1991* and a copy of the *Child Care Pre-School Services Regulations (No2), 2006* must be available on the premises.

### **Regulation 30 Insurance**

A person carrying on a pre-school service shall ensure that the pre-school children attending the service are adequately insured against injury while attending the service.

#### **Agreed Criteria for Assessing Compliance of Regulation 30**

**The Pre-School Inspectorate should assess that:**

- Service providers have current, adequate insurance covering the following:
  - Public liability
  - Provision for outings (if applicable)
  - Fire/Theft
  - Numbers catered for
  - Transportation by Service provider of pre-school children (if applicable).
- This may be assessed by requesting a copy of the insurance documentation under *Regulation 29*.

### Insurance cover

*The possession of adequate insurance cover is an essential requirement of the Child Care (Pre-School Services) (No 2) Regulations 2006. It is recommended that the insurance policy obtained should at least cover the following areas:*

- (i) Public Liability; (to include provision for outings with children, where applicable)*
- (ii) Fire and theft.*

*Individual Service providers are in the best position to determine the type and extent of insurance most suited to their needs. If it is intended to undertake any extra activities (e.g. outings for children), the insurers of the service should be notified and any additional cover necessary obtained in good time. In particular, it may be necessary to obtain extra motor insurance cover for children who are being transported by the Service provider. This does not negate the Service provider's obligations under any other legislation.*

## **GENERAL INFORMATION**

### **Regulation 29 Furnishing of Information to the HSE**

A person carrying on a pre-school service shall furnish the Health Service Executive with such information as the Executive 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 Executive.

### **Agreed Criteria for Assessing Compliance of Regulation 29**

**The Pre-School Inspectorate should assess that:**

- Any information/documentation which assists in making a decision regarding compliance with the Regulations is provided.
- This information is furnished to the Pre-School Inspectorate in the form specified by the Pre-School Inspectorate.

### **Regulation 31 Annual Fees**

- (1) Subject to sub-article 4 of this article, a person carrying on a pre-school service shall pay the Health Service Executive an annual fee towards the cost of inspections under Part V11 of the Act and the amount of the fee shall be:
  - (a) where the service provided does not exceed 3.5 hours in the day - €40.00
  - (b) childminding service - €40.00
  - (c) in all other cases - €80.00
- (2) The Health Service Executive shall, as near as may be to the first anniversary of the notification referred to in Regulation 10 of these Regulations, and annually thereafter, notify the person carrying on a pre-school service of the annual fee to be paid to it by that person.
- (3) The person carrying on a pre-school service shall, within 28 days of the receipt by him or her of a notification under paragraph (2) of this Regulation pay the Health Service Executive the fee specified by the notification.
- (4) The Health Service Executive may exempt from a fee a person carrying on a pre-school service in which no pre-school child is maintained for profit.

### **Agreed Criteria for Assessing Compliance of Regulation 31**

**The Pre-School Inspectorate should assess that:**

- The HSE has requested the appropriate annual fee from service providers who are not exempt from annual fees and assess that they have been paid.

### **Regulation 32 Inspection**

- (1) The Health Service Executive shall, following an inspection by an authorised person, furnish a report in writing to the person carrying on the pre-school service of the outcome of the inspection.
- (2) Subject to paragraph (1) of this Regulation the Health Service Executive shall take steps as are necessary to enforce these Regulations in relation to the pre-school service concerned.

### **Agreed Criteria for Assessing Compliance of Regulation 32**

#### **The Pre-School Inspectorate should assess that:**

- An Inspection Outcome Report is furnished to the service provider of the outcome of the inspection. This should acknowledge areas of compliance and non-compliance in the format required in the Guidance Note.
- Where Regulations are not being complied with, a particular course of action within a specific time-frame should be given to the service provider.

## **REFERENCES**

- Building Control Regulations 1997-2006* – Department of Environment, Heritage and Local Government.
- Building Regulations Technical Document M 2000: Access for People with Disabilities* - Department of Environment, Heritage and Local Government.
- Building Regulations 1997-2006 (Building Regulations (Amendment)(No2) Regs 2002) Technical Guidance Document F* - Department of Environment, Heritage and Local Government.
- Building Control Regulations 1997-2006 Technical Document H: Drainage and Waste Disposal* - Department of Environment, Heritage and Local Government.
- Child Mental and Emotional Health: A Review of Evidence 2006* – Child Mental and Emotional Health Project Team & HSE Programme of Action for Children.
- Child Care Act 1991*- Oireachtais
- Child Care (Amendment Act) 2007* - Oireachtais
- EC Regulation No. 178/2002 (General Food Law) 2005*
- EC Regulation No.852/2004 on the Hygiene of Foodstuffs 2005*
- European Communities (Hygiene of Foodstuffs) Regulations 2006 (S.I. No. 369 of 2006)* - Oireachtais
- Fire Safety in Pre-Schools (1999)* – Department of Environment, Heritage and Local Government.
- Food Hygiene Regulations 1950-1989* – Oireachtais
- French G. (2003) *Supporting Quality: Guidelines for Best Practice in Early Childhood Services (2<sup>nd</sup> ed)* – Barnados.
- Food and Nutrition Guidelines for Pre-School Services* – Health Promotion Unit, Department of Health and Children.
- FSAI Guidance Note 22 Information relevant to the Development of Guidance Material for the safe feeding of Reconstituted Powdered Infant Formula* – Food Safety Authority of Ireland.
- I.S.340:2007 Hygiene in the Catering Sector* - National Standards Authority of Ireland.
- I.S.344:2002 Hygiene for Domestic-Scale Food Production* - National Standards Authority of Ireland.
- Maslow A. (1954) *Maslow's Hierarchy of Needs*.
- Reduce the risk of cot death – an easy guide* – FSID Foundation for the Study of Infant Deaths and Department of Health, U.K – [http: sids.org.uk/editpics/404-1.pdf](http://sids.org.uk/editpics/404-1.pdf)
- Safety, Health and Welfare at Work Act 2005* – Oireachtais
- Fire Services Act 1991* - Oireachtais

## **APPENDIX 1.**

### **Pre-School Standardisation Project Team**

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## **APPENDIX 2.**

### **Code of Practice Group(Pre-School Inspectors)**

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Deirdre Duffy	HSE Dublin/North-East
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