


Policy Proposal



Closures of Early Years and School Age Care Settings

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Introduction

The purpose of this Policy Proposal is to provide an overview of Early Childhood Ireland's recommendations to the Department of Children, Equality, Disability, Integration and Youth, when an Early Years and School Age Care setting notifies authorities that it will close permanently.

About Early Childhood Ireland

Early Childhood Ireland is the leading children's advocacy and membership organisation. We work in partnership with our members to achieve quality experiences for every child in Early Years, School Age Care and Childminding settings. We advocate for an effective and inclusive Early Years and School Age Care system which values, supports and invests in childhood, children and services.

The importance of Early Years and School Age Care

Early Childhood Ireland believes that childhood is a critical period for the nurturing of each individual child's curiosity, resilience, creativity, confidence, and potential.

A large body of international evidence has established that high-quality Early Years experiences for children provide long-lasting benefits for them, their families, and communities. Research demonstrates that high quality Early Years (EY) and School Age Care (SAC) provides children with essential skills and capabilities that are vital for them to thrive in society.

Early Years and School Age Care is an essential service.

Early Years and School Age Care is an essential public good. If a setting closes, it can have a detrimental impact on children, families, staff and local communities. Children's routines are upended, and they are separated from their early learning educators and friends. Families are left scrambling to find alternative care, leaving parents worried about how they are going to work. Educators face potential layoffs, in a sector which is already facing a range of staffing issues. Depending on the circumstances, operators can face enormous pressure and stress, and the impact on communities is unknown.

Currently, unless a setting is forced to close due to public health concerns or incidents, there is no centralised response by government to EY and SAC closures.

This document outlines Early Childhood Ireland's proposal for a stakeholder-led approach, which we believe should be taken when a setting indicates that it will close its doors permanently.

Context

The regulation of Early Years and School Age Care settings

The Child and Family Agency, Tusla, is responsible for the inspection and regulation of our Early Years and School Age Care services. The Department of Education inspects Early Years services participating in the Early Childhood Care and Education Programme (ECCE).

The Tusla Early Years and School Age Care Inspectorate promotes the “safety, quality of care and the support of children in early year’s services¹” by assessing applications for registration, inspecting registered services and by publishing inspection reports. It also supports Early Years and School Age Care services to comply with the relevant child care regulations².

Where there are consistent and serious breaches of the regulations, Tusla can take action up to and including prosecution and removal from the register of early years’ services. New legislation³ is currently being drafted which will give Tusla greater enforcement powers to ensure that children are receiving EY and SAC care of the highest quality and safety in Ireland.

Early Years and School Age Care settings closure figures

According to the latest available data⁴, during 2020/21 there were approximately 4,500 registered Early Years and School Age Care services contracted to provide at least one of the four DCEDIY funding programmes. These include the National Childcare Scheme (NCS), Early Childhood Care and Education (ECCE), Community Childcare Subvention Plus (CCSP) and/or Training and Employment Childcare (TEC).

Registered providers are required to notify the Early Years Inspectorate in writing of the cessation of service not later than 28 days after the cessation of the service (This requirement does not apply to temporary services). A Cessation of Service form is required to be completed where a person ceases to carry on a preschool or School Age Care service.

“Recent Tusla data shows that 86 early learning and care services closed between January and August 2023 compared to 113 during the same period in 2022 and 106 in 2021. At the same time, between January and August 2023, 48 new early learning and care services registered, an increase from 33 over the same period in 2022 and 44 in 2021. This data would indicate that the rate at which services are closing is slowing down while the number of new services opening is increasing.” (Minister for Children, Equality, Disability, Integration and Youth, Roderic O’Gorman TD, Dáil Éireann, 3 October 2023, Parliamentary Question No. 552)

What causes a permanent setting closure?

Situations arise where an Early Years or School Age Care setting must close.

There are two types of closures, voluntary and involuntary.

Voluntary closures are the result of situations such as owner retirement, end of lease agreements or change of services while an involuntary closure is enforced by Tusla, including those caused by fire or other regulations which are outside operators' control. There may also be involuntary closures if a lease ends, a property wishes to sell, or a school wishes to change the use of a room(s) being used by an Early Years or School Age Care setting.

From January to September 2023 the following reasons were given by settings for voluntary closures. It must be noted that providers may list more than one reason for closure, therefore, the number of reasons given does not match to the number of closures⁵.

ELC Reasons for Closure	Number of Services
No reason Given	13
Personal Reasons	6
Not financially viable	14
Rental Agreement Expired	7
School Room Taken Back	2
Business moving premises	1
Unable to attain fire safety compliance	2
Reduction in child numbers	9
Retirement	10
Building conditions	1
Temporary closure	1
Unable to source staff	7
Total	73
Standalone SAC reasons for closure	Number of services
No reason Given	13
Personal reasons	2
Not financially viable	4

The impact of closures on children and the wider community

Early Childhood Ireland advocates for all children to have access to high quality Early Years and School Age Care.

High-quality Early Years and School Age Care is also a critical component of a thriving community and economy. There is a large body of research to show that Early Years and School Age Care has a long-lasting positive effect on a child's well-being and long-term success. It provides parents with the ability to access employment, education and training.

Early Years and School Age Care settings are also important employers in the community who contribute to the local economy.

Access to high quality Early Years and School Age Care is essential for every child in every community, therefore, if a setting must close, it is essential that all efforts are made to lessen the negative impact on children, families, and the community.

The impact of a setting closure on the child

A recent study⁶ examined the impact of the closure of schools and Early Years settings on young children during one of the Covid-19 lockdowns in Ireland. Over 500 parents responded to an online Play and Learning in the Early Years (PLEY) Survey⁷. "Findings from the qualitative parental responses for children indicates that children missed the routine, structure and activities provided by [the] early learning settings and schools...Parents also indicated that their children experienced a lack of interaction and missed peer relationships with friends and other children in the early learning setting or school⁸." Parents were concerned for their child's socio-emotional development (how a child thinks, feels and acts) with "some parents describing anxiety, clinginess, isolation and low mood." These findings highlight the hugely important role that Early Years settings provide in presenting children with opportunities, such as social interactions and play, to build and consolidate socio-emotional skills.

The impact of a setting closure on the wider community

Early Years and School Age Care setting closures can have a detrimental impact on a community, particularly if there is a dearth of alternative settings available. When a setting signals its intention to close, parents are often left struggling to find alternative Early Years and School Age Care for their children, and some are forced to choose whether or not they can return to work.

Early Years and School Age Care settings are also important employers in a community. A setting closure results in job losses for staff "who are almost exclusively female (98%)⁹". The local economy can also become restricted from the loss of employment, local trading,

revenue and services. Most significantly, in many communities, settings can be part of formal or informal family support services for children and their families, including the provision of therapies, as well as basics such as hot meals. They also play a critical role in integration and in sustaining families through crises and unexpected events.

What happens now when a setting closes down?

Currently, if a setting closes, there are few support services available to help families find alternative EY and SAC places for their children. Parents are advised to contact their local County Childcare Committee (CCC) for information about local EY and SAC services. The CCC however is under no obligation to find an alternative place for any child. In some communities there will simply be no places available. Moving children is not optimal in any case, as consistency of relationship with their key adults in EY and SAC settings, is important for their emotional security.

Proposals for Early Years and School Age Care setting closures

Early Childhood Ireland is proposing the establishment of a Stakeholder Response Team - whose purpose is to manage setting closures by responding in a timely manner and to examine a range of options, focussed on the best interests of children. We also believe that this Team will need to feed its findings into national policy responses, all of which will be subsumed into the forthcoming Single Agency for Early Years and School Age Care.

The principle of providing all children with access to quality EY and SAC has prompted this policy proposal, as we believe that there is a need for a response from state agencies and support services to lessen the negative impact of setting closures on families and on staff when they arise.

Early Childhood Ireland proposals for setting closures

In our more proactive approach to permanent setting closures, the following would happen:

1. When a setting indicates that it is going to close, it must first signal this within the Pobal Hive, by giving at least 3-months' notice, but 6-months if possible.
2. Once the setting has confirmed with Pobal that it is to close, this will trigger a response from a Stakeholder Response Team (SRT).
3. The Stakeholder Response Team's role is to respond to notices of closures, with a view to trying to avert them and manage setting closures, when they are unavoidable.
4. To avoid closures, the SRT will work with a range of local agencies and others to devise a sustainable plan for the setting.
5. The SRT will work with services in the local area, such as the CCCs, to source alternative places for children when closures are unavoidable.

Better data for responding to Early Years and School Age Care closures.

The availability of comprehensive data is in the best interests of children and the overall Early Years and School Age Care system. It allows policy makers to implement strategies to ensure the supply and quality of Early Years and School Age Care, and it gives confidence to the Irish public that investment is being made appropriately.

The closure of a vital service needs an immediate, planned, and co-ordinated response, involving all relevant stakeholders. However, such a response can only be achieved when stakeholders have comprehensive, area-specific data such as the Early Years and School Age care services available, the local population, and population needs.

Early Childhood Ireland believes that in the context of increased investment, the Better Data recommendations of the Expert Group who produced Partnership for the Public Good¹⁰, should be implemented.

These recommendations are:

1. A sophisticated monitoring and evaluation framework with efforts made to generate baseline data on individual services.
2. An “Early Learning and Care” database, similar to the Pupil Online Database in schools.

First 5 – A Whole of Government Strategy for Babies, Young Children, and their Families 2019-2028, also stresses the importance of data by including a commitment to build a “strong national infrastructure for research and data that is used to inform policy and practice alongside an ongoing programme of monitoring and evaluation¹¹.”

A Dedicated Early Years and School Age Care Data Officer

The Government has a vast amount of live data on the Early Years and School Age Care sector from the following sources:

- Pobal Early Years Sector Profile¹²;
- Pobal maps¹³
- Census 2022 Households, Families and Childcare¹⁴;
- Tusla EY and SAC register¹⁵; and from
- the Early Years Hive¹⁶ portal.

Early Childhood Ireland recommends that the Department of Children, Equality, Disability, Integration and Youth appoint an Early Years and School Age Care Data Officer - a person who is dedicated to bringing all of the information from the available data sources on EY and SAC in Ireland together, so that data can be used to develop evidence-based policy and planning for the sector, including an adequate response to setting closures.

The Data officer will be responsible for examining access to EY and SAC services in a particular area(s), conduct a needs assessment of those areas, and map the supply and demand for target populations.

Stakeholder Response Team

No matter what the reason for the permanent closure, Early Childhood Ireland would like to see the following response to a setting closure:

- **Child-centred:** A child-centred response to the closure is of the utmost importance. This involves making decisions based on the best interests of the children who attend the setting.

- **Early warning system:** EY and SAC settings must first indicate their intention to close as soon as it is a possibility, via the Pobal Hive. This will trigger a response from the Stakeholder Response Team.
- **Stakeholder Response Team:** Establish a Stakeholder Response Team of experts who will respond from a national and regional/local perspective.
- This team would be based in, and overseen by, the DCEDIY until the establishment of the Single Agency, into which it will be absorbed. It will advocate for the availability of EY and SAC services to the local region/community.

Members of the Stakeholder Response Team would be experts from:

- The Department of Children, Equality, Disability, Integration and Youth (DCEDIY)
- Data Officer (DCEDIY)
- Pobal
- Tusla
- County Childcare Committees (CCCs)
- Local Early Years and School Age Care settings
- Parents

Role of the Stakeholder Response Team

The main role of the Stakeholder Response Team is to:

- Assess the potential closure on children and on the local community/region.
- Examine other options to closure, to see if the setting can continue to operate.
- Prepare a plan for the setting and if closure cannot be avoided, ensure that it involved engagement by the local community, including other EY and SAC settings.
- Seek solutions for EY/SAC places for the affected children and families, and to
- Liaise with local community to implement those solutions.

The closure plan

If closure is unavoidable, the Team will devise a comprehensive plan which will focus on:

- Assessment of the closure on the children, families and local community affected.
- Assessment of local/regional EY and SAC services and needs.
- Safety and security.
- Dissemination of accurate information to stakeholders
- Placing children in other settings temporarily or permanently depending on the type of closure.
- Emotional and psychological needs of children, if necessary.

The closure plan for the regional/local community:

- Outlines the roles and responsibilities of the Team
- Works with the setting to devise a closure plan.
- Carries out an assessment of the closure on children, families and the local community.
- Oversees the EY and SAC resource needs for the local region/community.
- Facilitates the implementation of placing children in other settings, if possible.
- Establishment of agreements with other settings who are sharing resources.
- Oversees the implementation of the closure plan.

The closure plan for the setting – The plan for the setting will include:

- Protocols for notifying staff, parents and children about the closure
- Placing children in other settings, if possible.

Recommendations

All children should have access to high quality Early Years and School Age Care. Therefore, if one of these essential services should signal its intention to close, an immediate, planned, and co-ordinated response, involving all relevant stakeholders is necessary.

Early Childhood Ireland recommends the following to ensure that children, families and children are served appropriately when an Early Years and School Age Care setting intends to close.

Early Childhood Ireland Recommendations

1. Implement the Better Data recommendations of **Partnership for the Public Good**.
2. Appoint or assign a dedicated Early Years and School Age Care Data Officer in the DCEDIY who would be responsible for examining access to EY and SAC services in a particular area(s), conduct a needs assessment of those areas, and map the supply and demand for target populations.
3. Establish an expert group of stakeholders, a Stakeholder Response Team, that will be responsible for development and implementation of a closure plan for the relevant setting, the affected families and local community.

Endnotes/References

- 1 Tusla website <https://www.tusla.ie>
- 2 Child and Family Agency Act 2013 [Part 12]; Child Care Act 1991 (Early Years Services) Regulations 2016; Child Care Regulations (The Child Care Act 1991 (Early Years Services) (Amendment) Regulations 2016
- 3 Heads and General Scheme of the Child Care (Amendment) Bill 2023 Department of Children, Equality, Disability, Integration and Youth, 2023
- 4 Pobal Annual Early Years Sector Profile Report 2020/2021 (published 2022)
- 5 Dáil Éireann, 11 September 2023, Parliamentary Question No. 1441
- 6 Egan SM, Pope J, Moloney M, Hoyne C, Beatty C. Missing Early Education and Care During the Pandemic: The Socio-Emotional Impact of the COVID-19 Crisis on Young Children. *Early Child Educ J.* 2021;49(5):925-934. doi: 10.1007/s10643-021-01193-2. Epub 2021 Apr 27. PMID: 33935481; PMCID: PMC8076664.
- 7 The PLEY survey was conducted May 21 to June 3, 2020.
- 8 Egan SM, Pope J, Moloney M, Hoyne C, Beatty C. Missing Early Education and Care During the Pandemic: The Socio-Emotional Impact of the COVID-19 Crisis on Young Children. *Early Child Educ J.* 2021;49(5):925-934. doi: 10.1007/s10643-021-01193-2. Epub 2021 Apr 27. PMID: 33935481; PMCID: PMC8076664.
- 9 Pobal Annual Early Years Sector Profile Report 2020/2021 (published 2022)

- 10 Partnership for the Public Good A New Funding Model for Early Learning and Care and School-Age Childcare - Department of Children, Equality, Disability, Integration and Youth, November 2021
- 11 First 5 - A Whole-of-Government Strategy for Babies, Young Children and their Families 2019-2028 (Department of Children, Equality, Disability, Integration and Youth, November 2018)
- 12 Pobal Annual Early Years Sector Profile Report 2020/2021 (published 2022)
- 13 <https://www.pobal.ie/>
- 14 www.cso.ie
- 15 Tusla website <https://www.tusla.ie>
- 16 <https://earlyyearshive.ncs.gov.ie/>



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