Report on the Draft Childminding Regulations Consultation

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RESEARCH MATTERS LTD

Acknowledgements

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Abbreviations

CCC	City/County Childcare Committee
CCTV	Closed Circuit Televisions
CMs	Childminders
CMDO	Childminding Development Officer
CMI	Childminding Ireland
CPD	Continuous Professional Development
DCEDIY	Department of Children, Equality, Disability, Integration and Youth
DCR	Draft Childminding Regulations
ECCE	Early Childhood Care and Education programme
ELC	Early Learning and Care
EYI	Early Years Inspectorate
GDPR	General Data Protection Regulation
HIVE	The Early Learning and Care (ELC) and School Aged Childcare (SAC) service provider Pobal portal for programmes funded by the DCEDIY
NAPC	National Action Plan for Childminding
NCS	National Childcare Scheme
NSF	National Stakeholder Forum
QAP	Quality Assurance Programme
QQI	Quality and Qualifications Ireland
QRF	Quality and Regulatory Framework
SAC	School Aged Childcare Service

Section 1: Context for this report

Developments relating to childminding in Ireland have been underway for a number of years. The Report of The Working Group on Reforms and Supports for the Childminding Sector, Volume 1 and 2 was published in 2018 by the Department of Children and Youth Affairs[i], [ii]. This publication was informed by:

- Consultations with children, parents and childminders.
- An inventory of best practice that reviewed childminding across seven European countries and took account of issues such as child protection, health and safety, financial management, and childcare quality.
- A consideration of regulation of childminding in Scotland, Northern Ireland and Wales, taking account of the impact of regulation in these jurisdictions.
- A survey on parents' and guardians' experience of, and opinions on, childminding in Ireland.

Following the publication of the findings and recommendations of the Working Group, a Draft Childminding Action Plan was published (DCEDIY, 2020)[iii] and a further consultative process took place. This consultation process included an online survey, focus groups, an invitation to make submissions and an open policy debate. On completion of that process, the National Action Plan for Childminding (2021-2028)[iv] was published. The plan presents a pathway and steps towards regulation, support and subsidies, for all paid, non-relative childminders.

The Steering Group for the National Action Plan and its four Advisory Groups – including the Advisory Group on Regulation and Inspection of Childminding – has been overseeing the implementation of the Action Plan and development of the childminding-specific regulations. Throughout the development, the National Action Plan for Childminding Steering Group reviewed and provided feedback on the regulation proposals developed by the Regulation and Inspection Advisory Group, and an agreed document with Draft Regulations for Childminding (DCR) was published in February 2024 for the purpose of public consultation.

The Steering Group also approved the development of a communication plan for the public consultation on the DCR, as well as draft documentation for the public consultation, including an easy read summary and an online consultation survey. Research Matters was commissioned by the DCEDIY to carry out an analysis, synthesis and report of the findings from the consultation on the DCR and the findings are presented in this report.

About this report

This report presents the findings emerging from a multi-stakeholder, multi-strand consultation with regard to the DCR. More than 1,000 contributions have been analysed using a variety of different methods and approaches and the findings have been synthesised to identify the views and issues arising. Throughout the report, statistics and commentary using stakeholders' voice are presented to evidence each finding, thus lending authenticity and transparency to process. It is important to note that while some views and issues identified are raised by multiple individuals and stakeholders, and are raised across more than one strand of the consultation, others are presented by a small number of contributors. In some cases, a particular issue or view by a single individual or organisation is included as it has been been identified by the researchers as contributing to a more in-depth insight or identifying an issue or challenge not addressed elsewhere.

This is a report on what was written and said by consultees; it contains no assessment of whether claims, views or issues presented are justified or correct.

The report is divided into the following sections:

Section 2: The consultation process. This section provides a description of the four strands of the consultation and presents views about the consultation.

Section 3: An overview of the findings arising from the consultations. This section presents the overall views of the DCR.

Section 4: Findings arising in respect of specific areas of focus for the consultation. This section identifies key findings emerging in respect of issues relating to safeguarding, the maximum number of children to be cared for, training and the Childminding Service Handbook. The section concludes with a consideration of views on areas missing from the DCR.

Section 5: Challenges arising. This section highlights key challenges arising in respect of the DCR and considers perceptions on childminding, potential impact of these regulations on the availability of childminders, main challenges arising and general areas of concern.

Section 6: Supports arising. This section presents the findings in respect of supports identified.

There are two appendices as follows:

Appendix 1: A list of individuals and organisations that attended the National Stakeholder Forum

Appendix 2: Proposals in respect of individual regulations identified by contributors to the consultation.

Section 2: The consultation process

A multi-strand, multi-stakeholder approach was designed and implemented by the DCEDIY and took place between February and May 2024.

Figure 1: Overview of key strands of the consultation

Stand 1: Group consultations (n = 52 with 222 participants)

- Fifty-two group consultations hosted by members of the County Childcare Committees took place nationally between February and May 2024 and each group included between 1 and 12 participants.
- About two thirds (67%; n = 35) of the consultations were carried out face to face. Sixteen (31%) were carried out online and only 1 (2%) was reported to be a blend of face to face and online.
- Within the consultation there was a key focus on four particular areas: child protection, the Childminding Service Handbook; the maximum numbers of children; and training.

Strand 2: Survey (664 responses)

- This survey was designed and carried out by the Early Years Quality Unit in the Department of Children, Equality, Disability, Integration and Youth (DCEDIY) using the EUSurvey platform.
- The survey comprised 13 questions, each of which allowed for open-ended answers to be provided.
- Within the survey there was a key focus on four particular areas: child protection, the Childminding Service Handbook; the maximum numbers of children; and training.

Strand 3: Submissions (90 submissions with 866 individual comments)

- A call for submissions was issued by the DCEDIY at the same time as the survey was launched.
- The submissions were unstructured and were returned electronically to the DCEDIY.
- Ninety submissions were received and while some were relatively short, others ran to more than 20 pages.

Strand 4: National Stakeholder Forum (35 participants from 28 organisations)

- A National Stakeholder consultation forum took place in the Alex Hotel, Dublin, on Monday 15th April 2024 and 35 participants attended (Appendix 1). Participants were allocated to one of four tables and personnel from the DCEDIY facilitated and took notes at each table. The forum was opened by Mr Rodric O'Gorman, Minister for DCEDIY, and Mr Toby Wolfe, Principal Officer for DCEDIY, who set out the context for the development.
- Purpose of workshop: The purpose of the workshop was to collate the views of stakeholders and specifically to identify their views in respect of the Regulations in principle and in detail.

Analysis and synthesis of findings

Information from each strand of the consultation was analysed separately and a variety of quantitative and qualitative techniques were used.

Group consultations: A written report of each group consultation was provided by the group coordinator and returned to Research Matters and an online survey platform was used to organise the data. A descriptive analysis of the quantitative information was carried out and key issues arising were identified through a thematic analysis of the qualitative information.

Survey: The survey data was received from the DCEDIY and following data cleaning, recoding and structuring a descriptive analysis of the quantitative data carried out using measures of frequency and range. Graphs, figures and tables were generated and are used to summarise the information emerging.

Submissions: Submissions were received from the DCEDIY and prepared for analysis by Research Matters. Each submission was parsed into individual comments and in total 866

individual comments were identified. A four-stage approach to analysis of submissions took place. These were: a text analysis to identify the most commonly used words across all submissions; a sentiment analysis on the overall submissions received; a thematic analysis of parsed comments and a detailed consideration of those related to specific Regulations mentioned (229 comments). Findings arising from this element are referred to as submissions throughout the document.

National Stakeholder Forum: Pre-formatted templates were provided to each table of four to six participants to capture the discussions arising. Two feedback sessions were recorded and transcribed. All written information from the day was collected and content and thematic analysis carried out. Findings arising from this element are referred to as feedback from tables or participants in the National Stakeholder Forum (NSF).

Contributions and contributors to the consultation process

In total, over one thousand (n = 1,011) contributions were received from childminders, parents and others including organisations, early years educators, academics and members of the public. It is clear from the responses that some individuals used more than one form of feedback but it is not possible to determine how many.

Figure 2: Number of contributors and contributions to the consultation

Group consultations	Survey	Submissions	National Stakeholder Forum
52 groups	**664** responses	**90** submissions **866** comments **83,239** words	**28** Organisations
216 childminders **6** parents	**243** childminders **327** parents **94** others	**79** childminders **6** parents **5** others	**35** participants
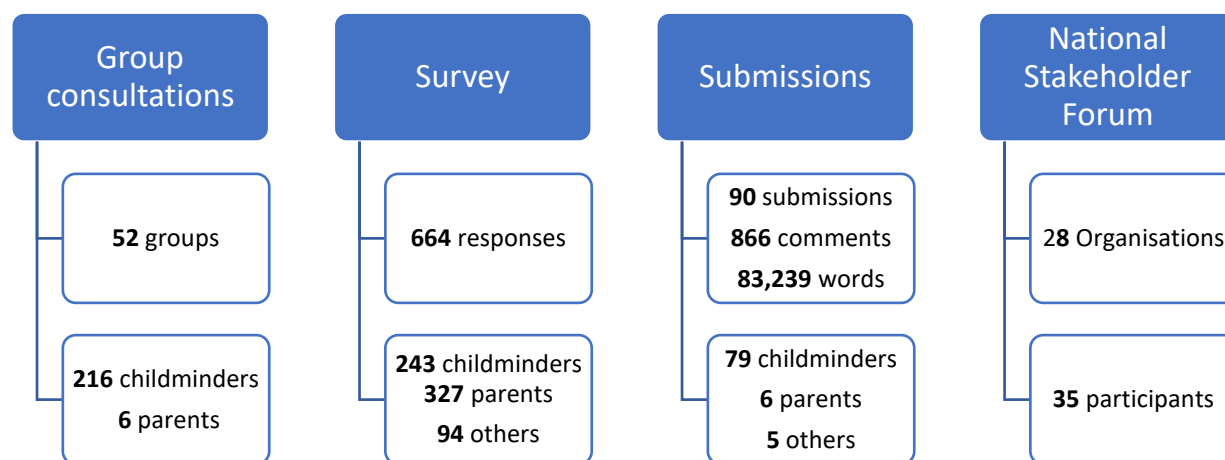
Views on the consultation process

There was some commentary about the consultation process itself both in submissions and in the information returned in the survey. A small number of comments in submissions welcomed the opportunity to contribute to the consultation and thanked the DCEDIY for enabling the consultation process. Comments included 'I would like to add that this is a welcome platform to allow us to share our views', 'We welcome the opportunity to provide comment and observations on these draft regulations', and 'Thank you for reading this submission to reconsider the draft regulations and I hope that our voices as childminders will [be] heard with action taken'. It was evident that many of those making a submission had given considerable thought, time and reflection to the draft regulations and many provided commentary on the specific detail of individual regulations.

Most commentary, however, suggested the voices of childminders have not been heard ('please take note of all the basic mistakes that have occurred with these draft regulations', 'no childminders have been listened to during the focus group stages as these draft regulations

prove', and 'we have not been listened to'). Specific concerns were also raised about the restrictions of the survey and group consultations in focusing predominantly on only four regulations with one person, noting that they made a submission as the survey 'is not designed to get real answers and does not cover the scope of the total regulations – it only covers 4 of the 26'.

Comments from submissions included 'Please listen to the voices of the childminders and their experiences'; 'please stop listening to the men in business suits, who have possibly never changed a nappy in their lives, and start listening to the voices on the ground'. Several submissions requested that Childminding Ireland, which was identified as a supportive organisation, should be listened to and their views taken on board. One comment noted:

> I'm hoping that with enough feedback from childminders and professional bodies such as Childminding Ireland the regulations will be brought more in line with what we're able for as individuals working from our family homes.

Criticisms of the process of engagement around the DCR were also identified in the survey, and comments mirrored those of the submissions (e.g. 'the voices of childminders were not heard at any stage in this process'). One childminder identified a problem with the survey noting 'I do not agree on most regulations yet I was unable to contest [and] only say if I want to ADD things. I don't call that democracy'. Another childminder highlighted that those who have already registered have not been asked their opinions despite being 'the ones that know what works and what doesn't as we are already doing the current regulations but in reality we are the forgotten few'. A childminder who had been involved in a number of different contributory fora stated 'no heed has been taken of anything I or other childminders or CMI has said... pure tokenism', while an early years educator noted that 'all this consultation won't change the way the early years sector is going'. One childminder noted 'this document is a very sad reflection of the lack of understanding of how individual childminding businesses are'.

There was also a substantial commentary on the inability to comment on the DCR due to insufficient information and a lack of clarity about what is proposed. This is highlighted in the comment below noting that:

> We cannot comment or have a stance on a regulation that has no details … Will the current and very affordable Arachas childminder specific insurance obtained via Childminding Ireland be enough? Or will we need much more comprehensive insurance? Will that cost thousands a year? We need to know!

Summary
This section has focused on the consultation process and provided details of the overall approach. In total, more than 1,000 contributions were received through group consultations, surveys, submissions and the NSF. Both positive and negative views about the consultation were expressed and while the consultation was welcomed, some reservations about the approach adopted in the group consultations and survey were identified.

Section 3: Overview of findings arising from the consultation

This section presents an overview of issues raised in the various strands of the consultation and the findings now presented are based on a sentiment analysis of data from the submissions received and the final commentary from the survey. This is followed with a thematic analysis of the qualitative commentary across each of the four strands of the consultation with a focus on the overall context, implementation and impact of the regulations.

Positive commentary about the Regulations

In each of the different strands, a broad range of views emerged and while most of the focus was on areas of concern, positive views were also identified across the areas outlined in Figure 3. It is notable, however, that much of the positive commentary presented was identified through commentary from the NSF. This type of commentary was considerably more limited in submissions and surveys and there was very little positive commentary in the reports of Group consultations.

Figure 3: Areas of positive commentary

General welcome	Areas parents want addressed through regulation	Positive impacts on children, parents and childminders	Areas already being implemented by some childminders
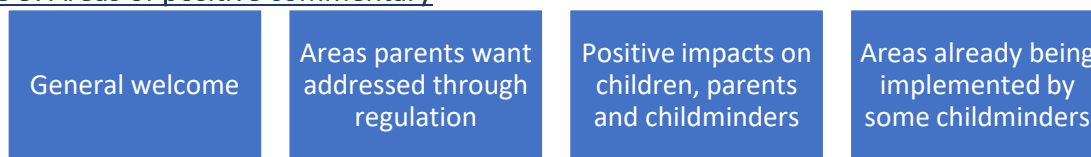
General welcome for regulations

Some positive commentary was expressed across all components of the consultation. In the submissions, for example, commentary specifically welcomed the introduction of childminding regulations highlighting it as a positive development. Comments included 'I support the regulation of childminders', 'I agree that there should be regulations in place for all childminding services', 'I welcome the plan to regulate all childminders in Ireland' and 'I fully support the implementation of regulation and registration for childminding services'. Similar-type comments were made at the NSF highlighting the importance of the regulations in 'meeting the ever-changing needs of children and families in Ireland' and one comment noted that it could 'increase the quality and choice of childcare available to the children of Ireland'. Some commentary highlighted the importance of the regulations in formally recognising childminders 'as part of the childcare sector delivering key services to parents and children in a unique personal and flexible home setting' while one childminder wrote 'I welcome the chance to be recognised in my profession'.

Commentary from the NSF also identified some positive aspects and in response to an exercise on their overall individual views of the Childminding Regulations using post-its, 42% of responses indicated the regulations were welcome, although several reservations were also identified. Eleven post-its included only positive comments about childminding regulation noting that it is 'needed', 'important', 'very positive', 'long overdue', 'necessary for all', and 'a good change'. Some comments highlighted that regulation is 'best for' and 'good for children' while one individual wrote they were 'supportive of the need for regulation from a child-centred perspective'. Attention was particularly drawn to the potential of the regulations 'to ensure every child has access to quality safeguarded care', to raise 'the quality and safety of children's care

and development'. Two comments highlighted benefits in being able to access funding through the National Childcare Scheme.

Others (n = 21) commented that while it was a positive development, caveats such as "cautiously positive but overwhelmed', 'positive but nervous', 'opportunity but uncertainty' were also noted. One comment noted that it was 'scary' for childminders while others focused on the importance of ensuring supports are available, the need for the Regulations to be 'appropriate and proportionate' and to a number of specific areas such as the timeframe for implementation and registration.

The feedback sheets from each group at the NSF also included positive commentary suggesting good support overall while raising concerns about the potential impact on supply and the importance of support throughout. Comments ranged from them being '[N]ecessary going to happen sooner or later', and we are 'following not leading' through to 'no issues in principle of regulatory framework' to 'welcome publication – might be challenging/demanding but are minimal' to 'excited for the possibilities', 'welcome regulations for children' and 'great belief in them overall and great value brought by them to the sector'. Other comments noted that it 'makes sense', the 'regulations are good, laid out well, easy read' and 'no childminder spoken to yet that is anti-regulation'.

There was some positive commentary across all stakeholders responding to the survey about the proposed regulations, with parents writing 'I think these regulations are very important and needed', 'They are very thorough and 100% required to protect the small children of our country', 'Desperately needed', 'I am delighted this is coming – the sooner the better', 'This policy is long overdue', 'Thank you! ..', 'Standards are currently extremely varied. Regulations that support improvements are welcome' and 'practical, these are things parents ask for mostly anyway and it should be the parents choice what they are comfortable with'. One parent wrote:

> This increased regulation of the industry is greatly appreciated as a parent who found it very difficult to find someone I would trust to leave my child with but having no evidence, policies, references, courses etc. to refer to for candidates.

Some childminders also welcomed the introduction of regulations noting 'Overall I think it's a move in the right direction', 'I think it's a good idea to have regulations', 'Childcare in the home needs to be regulated to protect children and value childminders', 'I think it's a positive thing to enable Childminders to register and professionalise and legitimise their services', 'they are there to support and protect everybody', and 'It would be great to have state recognition of the value of work that childminders do'. One childminder wrote:

> As one of very few Tusla Registered Childminders, I am very happy that this will be coming into effect. I feel that it is extremely unfair at the moment that so few of us are working under Tusla Regulations and having our numbers limited etc, whilst thousands have so many children in their care and are earning cash in hand.

An early years educator noted 'I think these regulations are fair and acceptable' while a member of the public reported that 'it's time to make childminding the same as full day care and be inspected by Tusla [as] the voice of the child is not be[ing] heard and protected in a childminding setting'.

In general, the commentary from group consultations focused on fears and areas of concerns as well as proposals for additional supports and there was very limited positive commentary. However, one parent who did take part in the group consultations noted that 'It is a comfort to hear how much is being invested in this'.

Positive impacts arising from regulation

Participants at the NSF were specifically asked to consider positive (and negative) impacts arising from regulation and these are summarised in Figure 4.

Figure 4: Positive impacts for children, parents/guardians and childminders

Positive for children	Positive for parents/guardians	Positive for childminders
•Better outcomes •Better standard of care •Voice of the child •Smaller settings better for some children	•Positive •Peace of mind •Greater choice •Financial and other supports •Improved awareness of services available through register	•Status as a professional •Increase in parents seeking childminders •Availability of financial and other supports

In respect of children it was noted that regulation would lead to 'better outcomes for children', greater respect for the rights of the child and would ensure 'the basics of looking out for children'. One comment highlighted the benefit of incorporating [the] children's voice into the inspection process. It was highlighted that if there is a positive impact on childminders, there will also be a positive impact on children.

One comment from the NSF suggested that the environment would be easier for childminders as a result of regulation, although most comments focused on the professionalisation of childminders where it was noted that childminders 'will be valued', have an 'elevated status as professional' and 'can take pride in job'. It was suggested that there may be 'movement to childminding from centre-based services' leading to a positive outlook overall on childminders. It was also highlighted that they would be on a register accessible to parents although some data protection and GDPR concerns were raised.

A small number of comments identified the availability of supports for childminders with 'someone to link in with on how to do admin', access to training, engagement in a quality assurance programme and the possibility of networking with other childminders. A query was raised about whether childminders would have to 'open up their books' to receive funding.

It was suggested that regulation will have a 'big impact on working women' and when childminders are registered this will give 'peace of mind' to parents/guardians and that they will have assurance that 'children are being cared for to a high standard', 'the basic is being met', standards and consistency are increased and children are safer. It was also highlighted that 'some parents will push for regulation' and that awareness of regulations is 'very valuable' as it will 'level the playing field for childminding'. It was suggested that this will result in 'increased choice' of regulated childcare providers and greater transparency. The availability of the parent handbook and the contract were noted as being a protection for both parents and childminders.

One parent attending noted [to] the NSF that 'as a parent, delighted, as there is a framework to follow'. It was stated that regulation will have a financial impact on parents as they will be able to 'receive NCS so help with costs' resulting in 'reduced fees' [which means] that they may save money. It was highlighted, however, that this should not be 'the drive needed' and that children should be to the forefront. Finally, the availability of a register was highlighted as positive with one group noting in the oral feedback that there will not be that 'racing to try and find someone [or] to put your name down on a hundred different services'.

Positive impacts arising from regulation

A submission from one organisation noted that it is difficult to evaluate the safety and quality of childminding provision for children when it is a largely unregulated and unregistered service and it is also difficult to develop the quality of childminding services (e.g. child safeguarding, pedagogical practices) and provide supports to children with additional needs. While a small number of comments in the survey suggested the regulations were 'minimum standard', a number of positive impacts were identified as follows:

- 'increase', 'elevated' and 'improvement' in 'the quality, standards and consistency of care'
- lower ratios ('better for children' and 'reducing overcrowding')
- a more educational environment with a focus on development as children will benefit from the 'knowledge and experience' of the childminder who has access to CPD and the availability of 'appropriate play materials' and 'indoor/outdoor environment'
- monitoring and oversight as well as safeguarding of children through Garda vetting resulting in 'more protected space'
- adequate standards of safety and numbers of children
- provide reassurance to families who use registered childminders
- provide a level playing field for all registered childminders.

Areas identified that should be addressed through regulation

Some respondents, including a number of parents, to the survey identified key areas around fees and payments, unwillingness to take on children with disabilities and child protection and general safety that should be addressed through regulation. Examples of comments are presented in Figure 5.

<u>Figure 5: Examples of commentary on areas that should be addressed through regulation</u>

Fees

- Childminders can charge what they want and demand what they want .... (sic). They can mind multiple children in their care. At the end of the day there is a need for childminders but the regulations need to be enforced and homes where children are minded need to assessed, childminders need qualifications and ongoing training, prices need to be capped. (Parent)
- In our area there is a dearth of creche places and the childminders are trying to charge €17 an hour! They are unregistered (therefore not PAYE?). I need 5-6hr childcare a day to return to my part time [name of] job (obviously well enough paid job) and at €17 an hour that's nearly 2k a month, part time! Madness. Obviously these people are not registered for the National Childcare Scheme, most have no quals or insurance. If I'm wondering how I can afford to get back to an 80k a year job either part time or full time then the system is definitely broken. (Parent)

Non-compliance with taxation

- Too many people are messing with the system (paid under the table, not enough childminders available so they control who they take on and can discriminate against disabilities without repercussions). (Parent)
- I know people minding children, who don't pay tax, have no insurance and in a lot of cases are claiming benefits. (Childminder)
- Unfortunately have seen extremely bad practice by a local childminder. This lady is taking cash in hand payments of €50 a day per child and parents have no choice due to lack of creche places. Many parents would prefer registered childcare services but this is not an option. (Early years educator)

Ratios

- There are already plenty of childminders around who break the current regulations and e.g. consistently show up at parent & toddler meetings with up to 6 pre-school children, several babies, etc., or minding over a dozen children at home without being Túsla registered and this is not even counting those childminders who are not tax registered. Many of them don't even know they are breaking the law regarding mindee numbers. (Childminder)
- I use an unregistered childminder. They are very good but I have no control of the amount of children, which is worrying. I am a nurse and due to the nature of shift work I can not access registered creches or child minders. (Parent)
- In many counties childminders are caring for over 30 children in their home. I don't agree with this but unregistered childminders are making a fortune, why would they give that up and have the stress of all the inspections that come with being registered, also having to keep records that they have never done before. (Early years service provider)

Child safeguarding

- As a user of a private childminder the concern of who visits the house during childminding hours has always been a key concern. Childminders with teenage kids and in particular their teenage friends visiting the house and stepping in to assist unsupervised for the childminder poses risks. (Parent)
- My main concern with childminders is the lack of first aid training and the carrying of these children from pre-schools and schools in their own cars. (Former childminder)

Some childminders are already doing some or all of what is proposed

It was highlighted that some childminders are already doing what is proposed and one person in the survey noted that 'there has been quality childminding settings for many, many years without regulation.' This was echoed in the submissions from childminders where they were already doing some of all of what was suggested in the Regulations and this was highlighted in one comment as follows:

I am registered with Childminding Ireland. I am registered with Revenue and pay all my taxes, insurance and have childcare qualifications, first aid training, garda vetted and keep quality records i.e. policies and procedures for operating a childminding business. I pride myself on a quality service. I regularly do courses [and] webinars to further educate myself.

One individual recounted experience in England which reflected the DCR and this individual expressed surprise that these regulations were not already in place.

Figure 6: Key areas identified as already being in place

Education and training:
- Several submissions drew attention to their formal educational qualifications in early years (e.g. Quality and Qualifications (QQI) level 5 childcare, QQI level 6 supervision in childcare completed, BA in Early Childhood Studies, Masters in early years), having completed various certified programmes (the 'Quality Awareness Programme', first aid training, Children First safeguarding) and of 'constantly doing continuous professional development' (e.g. regularly do courses, webinars to further educate myself').

Garda vetting
- A number of childminders noted they were Garda vetted.

Relevant experience
- It was highlighted by many childminders that they had been working as a childminder for several years (e.g. since 2008, over 20 years) and while some noted they had previously worked in creches they noted they had chosen childminding.

Being self-employed and tax compliant:
- A number of childminders noted they were tax compliant since they became self-employed and that they made annual returns and paid their tax.

Registered
- Several childminders noted they were registered with organisations such as Tusla, Childminding Ireland or the County Childcare Committees. Again it was suggested that Tusla- registered childminders should not have to re-register but should automatically be changed over as we have already gone through the rigorous and frustrating process of registering.
- Other comments suggested that 'Why do we have to go under Tusla when we are already registered with Childminding Ireland with who we already do training with.'

Insured
- Several childminders noted they are insured through Childminding Ireland.

NCS
- A number of childminders noted they were already offering the NCS and were taking part in other childcare schemes and developments.

Parents role
- It was also noted that 'Most parents do not ask for these [Garda vetting, training, policies, records etc.] when choosing a childminder, and are always pleasantly surprised and reassured when they are told that all of these are in place in my service.'

Overall negative views emerging

While there was positive commentary as described above, it was clear from the various strands of the consultation process that there were a far greater number of negative comments compared with positive ones and there is extensive evidence of strong negative views about the regulations proposed. In general, childminders' views were most likely to focus on challenges

and difficulties arising and while this was also the case with parents, members of the public and some members of organisations, it was evident to a lesser extent and of a lesser intensity.

Examples of negative commentary from the survey respondents include 'worst decision ever', 'far too heavy on regulations and completely takes away what childminders provide', 'there needs to be a total reality check about the reality of the childminding sector in Ireland' and 'We need proper childminding regulations and appreciation of the jobs childminders provide'. The regulations themselves were described as 'not clear, balanced or childminder-orientated', 'not fit for purpose, they are ridiculous and not suitable for childminders', 'will not work for childminders & their families in their own homes' and 'we need proper childminding regulations and appreciation of the jobs childminders provide'. Several comments highlighted deep feelings about the introduction of regulations with childminders noting they are 'upset and totally disillusioned', 'disgusted', 'have zero faith in the plans for its future'. Other comments noted that 'I think they will be frightening and financially out of most childminders league', 'are an imposition on many childminders' and 'leave honest childminders alone'.

A number of parents who responded to the survey commented negatively on the proposed regulations noting that 'as a parent using a childminder, I am horrified by these new regulations', 'too cumbersome just like they are for creches', 'regulations are over the top and inept for a home from home environment, they should be scrapped and a new approach to childcare formulated instead' and 'childminding regulations should be relaxed, not tightened'. One parent wrote:

> I am utterly disappointed at the complete lack of practicality within these draft guidelines. No childminder is going to comply with these overbearing regulations.

One member of an organisation noted that everything needs to be reviewed because we 'totally limit numbers' while a member of the public wrote 'unrealistic for one parent minding children in their home to do admin, garda vet every visitor, provide meals, outdoor space etc., it's a ridiculous draft'.

Similar type sentiment was also identified in the submissions received. A number of comments identified general concerns about the regulations for families and childminders and over 100 comments included the term 'concern' (n = 80) or 'concerned' (24) in their text. Comments noted 'I have great concerns about what is proposed and what implications this has for me, my home, the children I mind and their parents/families', 'the draft regulations are not appropriate in any way to childminding & I strenuously oppose them', and 'I'm concerned about the new regulations'. One childminder wrote:

> For the safety of the children of our nation, we childminders urge you to resist and re-think through these regulations, which are simply not fit for purpose in a childminding setting.

Other comments referred to the proposed regulations as 'ludicrous', 'a sad and poor reflection' of childminding, 'way too unwieldy and restrictive', 'not suited', 'a poor reflection of childminding', 'overburdensome', unachievable' and 'unnecessary'. Childminders wrote of being 'disappointed' and 'feeling extremely vulnerable' about the introduction of the regulations. One parent indicated their concern noting 'we are worried that the draft legislation above will introduce changes to the environment that our childminder is providing'.

Most commonly used words in the submissions

These general concerns are reflected in the findings from the text analysis which identified the most commonly used words, synonyms and phrases. Three words were identified more than 200 times in the submissions (Table 8).

Figure 7: Most commonly used words in submissions

Home (348 times)	Age (245 times)	Family (218 times)

The term "home" (348 times) referring to the fact that childminding took place in a person's home, arose in many cases, including the wish to create a home from home, the intrusion into the home caused by inspections and the privacy of the home being compromised by the publication of registered properties and Tusla reports. The term "home from home" was used 60 times and the term "family home" 45 times, with 183 other uses of the term "home". A very small number of people identified childminding as a business and noted it had to be treated like that. The term "age" (245 times) was associated with the question of ratios (which came up separately 169 times). The term "family" (218 times) came up in a number of contexts with many references to the mindees becoming and being treated as part of the minder's family, of other members of the family being part of the childminding model of care and learning and of a potential negative impact of the DCR on the childminders' own family members.

Negative impact on the availability of childcare

Within each strand of the consultation, there was extensive negative commentary about the impact of the Childminding Regulations and there were strong predictions that their introduction would lead to a considerable reduction in the number of childminders despite a lack of alternatives. The potential for a black market developing was also highlighted (Figure 8).

Figure 8: Fears about a reduction in the number of childcare places

Childminders leaving the sector	Lack of alternatives	Increase in fees to meet the regulatory requirements	Potential for the creation of a black market

Childminders leaving the sector

An overriding concern across stakeholders relates to the potential loss of childminders and the consequent challenges for parents in the context of an already oversubscribed landscape. Commentary from submissions strongly suggested that childminders will 'decide to discontinue', 'will cease their service', 'a lot of skilled and talented people will stop childminding' and 'many childminders are already leaving the sector'. Others wrote in stronger terms noting they 'fear the worst', that there will be a national 'disaster' and they 'are going to regulate us out of existence!!'. Similar sentiments were identified at the group consultations with comments such as 'don't want to register with Tusla, feel like they are being 'pushed out', 'Leave us alone!', 'Don't want support as I don't want to do it', 'Parents will still pay even if I don't do the NCS', 'Stress is mounting', 'TRUST is a big issue', 'driving CMs into the black market again'. One childminder wrote:

I hope this will help you understand the dire consequences and struggle parents will be facing in 3 years time as a result of these regulations. These regulations have ALREADY started to drive highly professional childminders out of the industry as a number of us have ALREADY changed careers in fear of how we will be affected when the new legislation is set in stone.

These sentiments were also highlighted in the survey where many comments from parents and childminders highlighted fears that the regulations would lead to a huge number of childminders 'leaving the market': 'I don't feel they are going to work and will push people out of the business', 'Completely ott [over the top]', 'This process is going to remove reliable and high quality private childminders from our communities', 'Will drive decent childminders out of the sector' and 'I think the majority of older women will choose to leave the sector complete[ly] rather than comply with these new regs'. It was also reported that when regulation like this was brought into Early Learning and Care (ELC) a lot of people chose to grandfather out of the sector rather than comply with new regulations. Other commentary noted that 'it will be a struggle to get them [childminders] to take this up, 'we can't underestimate what this is going to mean for childminders', it is 'very scary for [the] childminder business' and they are 'overwhelmed by the introduction of regulation'. Commentary from the NSF reiterated this concern, noting that while it would be 'ok for business minded childminders', there would be 'resistance to change', that childminders would 'question their role', and that those who are older or have 'small children will stop when regs start'. It was also noted that some would leave due to 'being offended by the regs', by the 'qualifications needed' and by the limit on ratios 'which will impact their income'. One childminder wrote they would be 'letting my families know that I'm quitting because of the regulations'. Another wrote:

It's causing an awful lot of stress on me worrying about what's going to happen in the next few months and all my fellow childminders are the same.

It was suggested in submissions that consideration needed to be given to 'the impact on potential closures as a result of these regs, for minders, parents and the economy'. Some highlighted the impact on women in the workforce noting that it would be 'detrimental to younger generations of women being forced out of the workforce'. This is highlighted in comments from parents. One parent who attended the NCF noted her worries that her childminder will find it 'too much work to get registered and will close her services even though the regs are simplified as much as they can be', and a similar comment in a response to the survey noted 'seriously concerned, lady minding my child won't be after this'. This stress and worry for parents was highlighted by a parent who made a submission and noted:

If our childminder is forced to close because she cannot implement these new regulations, one of us will have to leave our jobs…. We are paralyzed in fear about the future.'

An impact on grandparents was also identified and it was suggested they would be expected to help their children out with childminding.

One member of the public who responded to the survey noted:

I expect most childminders to adopt a "wait and see" as to how the state collectively manages this transition to regulation of childminders – if the negatives outweigh the

positives we will see a mass exodus of childminders by 2027 sparking a significant childcare and workforce crisis.

Lack of alternatives and a need for greater choice

A number of parents highlighted that they wanted their children to be with a minder noting 'our childminder has been invaluable to our family', 'Childminders are providing an invaluable service to many working parents who would be unable to keep their jobs were it not for childminders.' 'Our childminder is like a second mammy to our girls who are 1 and 2, she is [an] amazing person and we are so lucky we got her to mind the girls.' and 'childminders are essential for working parents. I do not want to use a crèche and I hope my children are out of childcare before these changes come into play'.

This was also highlighted in submissions, and commentary noted that some parents choose to have their child/ren cared for by a childminder in preference to being in a creche or early years service. Examples were given of a demand for childminders with comments such as 'constantly in touch with me looking for childcare but I don't have any space and won't have for at least 4 years', 'With a lack of creche spaces, the only option for many parents is family or childminders. I personally have a waiting list of 14 children looking for care immediately', 'I turn away at least 2 children every week, for the last 7/8 years, as does every childminder I know' and 'I started last year and already have had 150 desperate parents directly contact me for a space'. One parent wrote:

> Before I secured a spot with my childminder, I had been in contact with over 10 crèches and childminders around Sligo, most of which had a two year waiting list.

Other submissions noted that parents are delaying having a second or have 'reconsidered having more kids' and others highlighted that parents were driving long distances (e.g. 2 hours a day) due to the lack of childcare.

It was also suggested in submissions that while the financial burden of childcare was high, a more significant problem at this time is the shortage of places. One parent wrote:

> Consideration to impact and balance needs to be properly assessed. Is the timing of this in a childcare crisis right. Society will pay for the fall out. All about balance.

It was suggested that the challenges of childminders leaving is amplified by the current shortage of alternative care options and several submissions noted that these new regulations were coming during a time when childcare places are already limited. Comments from submissions included 'there is already a crisis at the moment with childcare facilities', 'some creches are not even taking down names', and parents 'already face a 2 year waiting list for creches'. Some childminders reported they also had a 'waiting list' and are in constant demand, with examples such as 'I already have names for September 2026', 'I am from a rural area and I have parents constantly in touch with me looking for childcare but I don't have any space and won't have for at least 4 years'.

Some parents who responded to the survey highlighted their children were cared for by childminders because there were insufficient alternatives, with comments such as 'often there are no creche places available', 'it is clearly impossible to get a crèche space in Dublin right now – for me the waiting list is 16 months'. One parent commented that in their area they had to 'place your name into a list for a[n] unborn child to get into the nearby creche [which] is

ridiculous… and the response is 'I won't have anything to offer him until he reaches 2 years of age'. Others noted that some 'creches are completely full, a creche near me won't even take names on a waiting list and instead only takes the brothers and sisters of child[ren] already enrolled. Another creche requires entering 'their waiting list from 3 months of pregnancy, and that is to care for the child when they turn 1 year old'. It was also reported that 'when my child was 6 months old I was unable to source a space in a creche', 'there is no option other than childminders for kids under 1 year', and 'a childminder was the only option available to us'. Some parents indicated they would 'prefer their child to be cared for in a crèche rather than someone's home but regulations have made it almost impossible for new crèches to open', another stated that 'childminders are already very expensive as-is and hard to come by'. An early years educator who responded to the survey wrote:

> Unfortunately [I] have seen extremely bad practice by a local childminder. This lady is taking cash in hand payments of €50 a day per child and parents have no choice due to lack of creche places. Many parents would prefer registered childcare services but this is not an option. (Early years educator)

A number of comments suggested that parents needed a much wider choice, including the choice for parents 'who want to mind their own children', the need for 'additional maternity/paternity leave' and more – and more affordable – public childcare options'. Other comments highlighted that the entire childcare system needs to be radically simplified so that parents can access what they need in a flexible and affordable manner, and providers can make a viable living from it'. One parent suggested that there is a need to talk to parents about 'how they feel excluded and unsupported by the Irish current regulations to keep working'.

> Parents have a right to work, cost and lack of childcare should not be a barrier. Childcare should be fully funded by now and all schools should have on site or have buses to and from childcare before and after school as standard.

Some parents in the survey also highlighted a concern about the financial impact of regulations noting they 'will at best drive prices up'. One parent stated 'this move will undoubtedly drive the price of childcare in communities through the roof so families again will struggle to pay'.

Creation of a black market

Many comments in submissions highlighted challenges in getting childminders to register and concerns were expressed that if this did not happen a black market would be created. This was also reported at the NCF where it was noted that some childminders would 'go underground'. This is also evident in commentary from survey responses where it was noted 'that much of childminding is currently underground and on the black market' and the regulations will 'drive childminding more to the black market'. One comment from a survey response noted:

> I know a number of childminders who will just continue to work without paying tax or having insurance when some of us qualified, insured, vetted are forced to choose a different career path as you want to make my home a crèche type setting! My home will never be that!

Comments from group consultations reiterate this noting 'the regulations are very formal and I can see many childminders avoid[ing] registering at all', 'Few if any will Tusla register' and 'I think most childminders will just continue on the black market'.

The report of one group consultation noted that 'all participants felt that this may drive more childminders underground and the tax exemption may need to be changed to provide opportunities for childminders to earn a living. This was also highlighted in survey responses where it was noted that 'it would be very difficult for registered childminders to compete financially with those who are not paying tax or overheads'. It was also noted that 'parents are happy to pay off the books' and 'those who comply will be left with no customers in rural areas where there are plenty of illegal childminders around'. While the current tax exemption of €15,000 was identified as positive, it was suggested that 'the financial supports on offer don't make it worthwhile for the minder to register'. One comment from the survey was:

> Can't see this working. [I]n many counties childminders are caring for over 30 children in their home. I don't agree with this but unregistered childminders are making a fortune, why would they give that up and have the stress of all the inspections that come with being registered, also having to keep records that they have never done before. Having to do courses. Paying tax when they have been used to getting cash?. (Parent)

Consequences of not registering

Several comments highlighted that there should be consequences for those who do not register and it was highlighted that there is a lack of awareness about the regulations among those who are not connected to a CCC or Childminding Ireland. Questions were asked in group consultations about 'what will the consequences of not registering be?' and it was questioned 'how unregulated childminders will be stopped operating outside of regulations when regulations are enforced?'. Some calls were made for penalties for childminders who do not register and for 'a system to report' those who do not. Questions were asked about what happens to those who do not register and one comment form the survey noted:

> I would love to know how and by whom the currently "unnotified/unregistered" childminders will be brought in to follow the regulations? Most I have spoken to don't even know about them.

Summary

This section has considered positive and negative views of the DCR and it is clear that negative views greatly outweighed positive ones. While there is some welcome for the regulations, and in particular for their potential to positively impact the quality of care for children, there are deep concerns that the regulations are too extensive and require too much from childminders who have heretofore not been subject to a mandatory regulation. The three most commonly used words in the submissions relate to "home", "age" and "family" and those relating to "home" and "age" are used in a narrative that is almost exclusively about negative impacts on childminding.

This section has also highlighted fears of a crisis emerging in childcare due to childminders leaving the sector and new childminders not taking it up because of the regulations. It was highlighted that there is already a shortage of childminding places as well as alternatives for parents. It was further noted that while some parents prefer their child to be cared for by a childminder, others would prefer to access a creche but it is not available. Concerns were particularly highlighted about the creation of a black market which registered childminders would not be able to compete with because of different tax requirements and other costs. It was highlighted that more needs to be done to make childminders aware of the DCR especially the

need to register. It was also noted that there should be clear consequences for not registering and these should be enforced.

Section 4: Specific areas of focus in the consultation

As highlighted earlier, a number of areas in the survey and group consultations asked for feedback and information about four particular areas of regulation (Figure 9).

Figure 9: Key areas of focus in the survey and group consultations

Safeguarding	Maximum number of children	Training	The Childminding Handbook

The responses to these areas are now presented in detail.

Safeguarding

It was suggested in submissions received from organisations that childminders are ideally placed to offer critical family support as they are known professionals and trusted. Commentary from one submission highlighted that the 'the term "child protection" should be amended to "child safeguarding"' as this term includes child protection but is more holistic. It was also suggested that there should be a specific regulation on safeguarding as well as a greater focus on safeguarding throughout the regulations, including, for example, a child safeguarding statement, amendments to Regulations 9, 11, 13, 15 and 22, and in respect of training and the Childminding Service Handbook.

In group consultations, participants were asked to indicate if, in addition to what was listed, there were any additional measures that should be taken to safeguard children. Of the 51 groups that recorded this, 78% (n = 40) indicated there were not and the remainder (22%; n = 11) indicated there were. Two groups highlighted in the commentary that some participants were unsure about this.

Table 1: Number and percentage of groups who identified additional measures were needed in respect of safeguarding

Additional measures	Number of groups	%
No	40	78%
Yes	11	22%
Grand Total	51	100%

Stakeholder differences identified in survey

In the survey, respondents were asked to identify whether there were 'any other measures we should be taking to safeguard children through the planned Childminding Regulations?' One in six respondents (15%; n = 100) indicated there were, while 58% (n = 384) indicated there were not (Figure 10). However, some differences were identified across stakeholders and while almost three quarters of childminders (73%; n = 175) indicated there were not any additional measures required, a similar proportion to that identified in the group discussions. However, 18% of parents (n = 58) indicated there were additional measures to be taken compared with 8% (n = 18) of childminders. While just under one third of early years educators indicated additional measures were required, this accounts for a small proportion of respondents overall (7%).

Figure 10: Requirement for additional measures to safeguard children by stakeholder
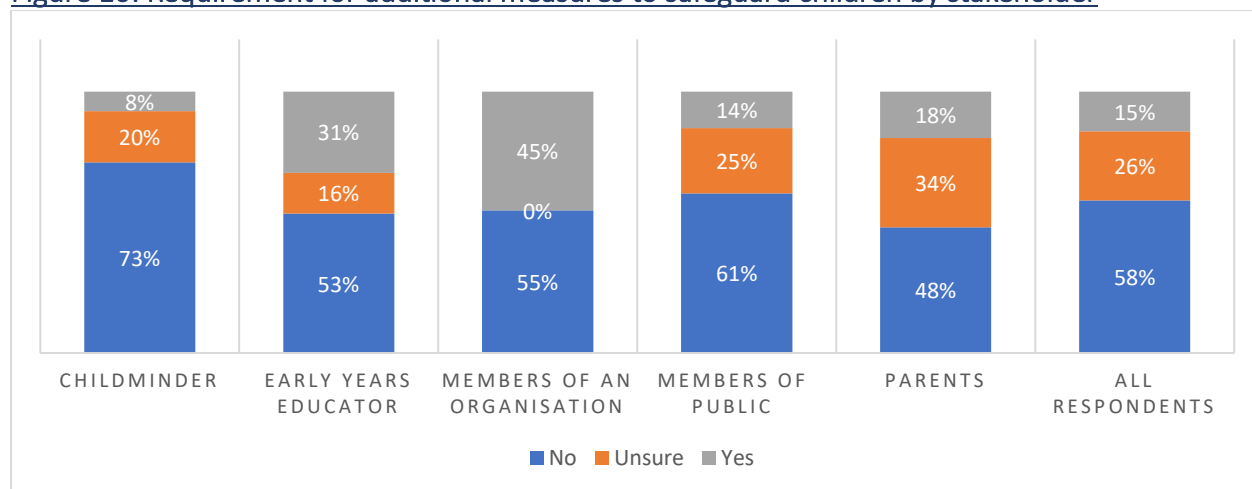
Response rate: 99%; n = 658; Childminder: n = 240; Early Years Educator: n = 45; Member of Organisation: n = 11; Member of Public: n = 36; Parent: n = 326

Issues identified in respect of safeguarding

Thirty-seven groups reported on discussions that took place around safeguarding and most of this focused on Garda vetting. While some groups were in agreement with the safeguarding proposals, there was not a consensus between or within groups about all aspects. Some concerns were also raised about vetting having an impact on the home environment and about these regulations being extended to include additional and more intrusive requirements in the future. The main issues arising are now presented in more detail.

Characteristics of those to be vetted: The reports of group consultations documented discussions, disagreements and queries about the need for vetting particular groups. These included foreign/summer students, visitors to the home (e.g. childminder's mother), childminder's own older children who may not be in contact with the children being minded, farm workers who only share dinner table, family members occasionally returning home/visiting. Discussions took place about the need for the emergency contact person to be vetted with one group noting within their group that four agreed and one person did not. One group reported that one participant had indicated that it was sufficient for the childminder and her husband to be vetted. Some members of one group felt it was reassuring for parents for everyone to be vetted. One participant in a group queried whether international police vetting would be required for an individual who had lived in another jurisdiction more than 20 years ago. One parent noted that:

> As a user of a private childminder the concern of who visits the house during childminding hours has always been a key concern. Childminders with teenage kids and in particular their teenage friends visiting the house and stepping in to assist unsupervised for the childminder poses risks. (Parent)

Similar type issues were identified by survey respondents where the following comments highlighted a wide range of people to be vetted including:

'All adults in house to be Garda vetted'; 'emergency person also have vetting'; common visitors also to be vetted (e.g. a childminder's relatives or friends who are present frequently; people 'who come to the home and have access to the children outside of other occupants'); 'the

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spouse should be vetted', 'Police vetting if they have lived outside the jurisdiction'; 'anyone in the house with the childminder should not have any convictions.'

Other suggestions: Garda vetting of parents to protect the childminder; awareness of neighbours/others: comments included 'Garda should provide a safety check of childminders local resident to ensure no paedophile is local'; an example was given of a relative of the childminder 'that lives next door [and] could be a danger to children due to extreme mental illness and drug abuse'; 'visitors who might be staying overnight' with an example from a parent of a minder's boyfriend who was 'over frequently while minding!... but didn't live there'.

Age: Some group discussions documented their agreement with Garda vetting for all members of the household age 16 years and over. Other discussions suggested 18 years was more appropriate with one group suggesting it should be younger than 16 years. A submission received from an organisation noted that they agree with 'the condition that all persons over the age of 16 living in the Childminders' home and their emergency cover, must be Garda vetted.' Respondents to the survey also considered the ages of those to be vetted and again there was some disagreement about the age including that it should be 'over 18 not 16'; 'Reduce to 14 years (Parent/secondary school teacher)'; anyone over 12 years; and all adults and teenagers who are living in the house. It was suggested that in many cases over 16s are at school while the children are being minded and never have contact with the mindees.

Processes of Garda vetting: The reports of group consultations mainly documented challenges and concerns about how practical it is to conduct vetting on everyone. Previous experiences documented 'delays in getting vetting', 'difficult to get for son and husband' and described the process as being 'lengthy', 'cumbersome', 'clunky', involved 'lots of trouble', was 'not straightforward', 'wrong vetting sent to an individual and documents lost in post'. Queries were raised about whether Barnardos has the capacity to carry out vetting for all childminders. One group reported that an individual suggested that vetting is not adequate and should be linked with PPS number. It was also noted however that if 'it was any more it would be too complicated – do not want to scare CMs'.

Issues relating to the process of Garda vetting were also noted in survey responses and comments focused on costs and timeframe such as 'there should not be a cost associated with vetting'; the 'timeframe for vetting should be every three years'; and 'Police vetting from abroad – not just Garda vetting'. One member of the public queried 'What will be the determination if a family member has a vetting disclosure, who will risk assess if they have a conviction?'.

Training: Discussions in group consultations focused on the need for child safeguarding training (if a childminder is vetted), who needed it (whether both childminder and emergency back up person needs it), and about the importance of the e-training being available at a time convenient to the childminder. The commentary also highlighted a need for a clear policy around training, the availability of specific training (e.g. Always Children First (ACF)) and training on how to report a child protection issue). A comment in the survey suggested that there 'needs to be greater clarity required about child protection training requirements (e.g. Does this refer [to] the Children First eLearning Programme and/or the Mandated Person eLearning Programme?)'.

Other issues arising: Group discussion reports highlighted a need for the regulations to make provision for children who are subject to family law proceedings around access and/or safety orders. Issues arising from the survey included:

- A consideration of 'child protection concerns registered against the provider via [T]usla referral', a similar type approach to the UK live online Disclosure and Barring Service' which is 'updated daily'.
- Childminders should have a safeguarding policy and protocol and a safeguarding statement listing the risks, same as in an early year setting.
- Registered Childminders caring for pre-school aged children are mandated persons. Childminders outside of this scope are not mandated persons. This needs to be explicitly declared in regulation for childminders.
- Oversight or education around teenage children in the home regarding boundaries. This is in view of the increasing rates of childhood sexual abuse amongst young children and adolescents/bullying and exposure to inappropriate online content.
- General safety monitored including regular inspections, audits, visitation and spot checks. Examples given include: cleanliness of the home; secure property and garden; safety of premises; ponds without adequate barrier; guidance around animal safety and children; assessment of pets and no pets allowed.
- Car safety: this should require checks on the number of children and amount of time your child will spend in a car; rear facing seats; clean driving license; if a childminder is using transport to collect or drop [off] children, there should be regulations around same.
- Safe sleep: adequate sleep arrangements need to be provided.

Findings from the NSF identified the following:

- Not being able to work as a childminder without Garda vetting should be identified as the first point in Regulation 5 in the easy to read summary as it is the most important.
- Garda vetting for everyone over 16 years: an anomaly between this requirement and the legislation which is 18 years (participants at one table recommended it should be 18 years).
- Further consideration about whether international students/adult children at home require Garda vetting. Participants at one table suggested a 'work around' where the childminder takes responsibility not to leave children alone with an unvetted adult.
- The timing of re-vetting – one group suggested every two to three years is best practice while another group noted a need for greater clarity about whether it is two years or three years.
- The Garda vetting process should be 'user friendly and appropriate to childminders to ensure child safety'.
- Concerns about potential delays in Garda vetting impacting on the registration process.

Commentary in the submissions generally referred to 1) childminders who reported they were already Garda vetted, 2) support for vetting of the person identified as providing emergency cover, 3) young people under 18 years having to be vetted, and to 4) challenges in getting vetted, particularly for those who had lived abroad. One comment highlighted:

> I agree with the Garda vetting of emergency cover but if I have an emergency here I will currently call a parent/all parents who work 10/15 mins away to collect their children,

what about a parent who works close could [they] be the emergency cover? They could be Garda vetted.

Supervision

In addition to participants at group consultations, respondents to the survey were also asked questions about specific measures to be taken with regard to the supervision of children in the care of the childminder. In addition to the requirements in the regulations, the options presented were in respect of a log book where visitors to the home would sign in, Garda vetting of all visitors to the home or no additional measures required.

Log books and Garda vetting of visitors to the home

Respondents were asked about the need for additional child protection measures to be put in place. In total, 242 respondents indicated that a log book to record every visitor to the house should be put in place and this accounts for about 37% of all survey respondents and 39%; n = 129; n=94) of all parents who responded to the survey. In contrast, about one quarter of those who indicated a log book should be put in place were childminders (25%; n = 61) which is 25% of all childminders who responded to the survey.

The findings also show considerable differences between childminders and parents in respect of adult visitors to the home, where 40% of all parents who responded indicated that 'No adults, other than the childminder's Garda vetted household members, [should] be allowed to visit whilst the children are present' compared with 12% (n = 30) of childminders.

Respondents were also asked to indicate if 'no additional measures' were needed and there may have been some confusion about whether this included the measures relating to the log book and visitors. Thirty-seven percent of all respondents indicated no additional measures are necessary. The responses varied between 9% (n = 1) for members of an organisation to more than half of all childminders (55%; n =133). Just over one quarter of parents indicated no additional measures are necessary.

Figure 11: % of respondents indicating their agreement with additional supervision measures outlined
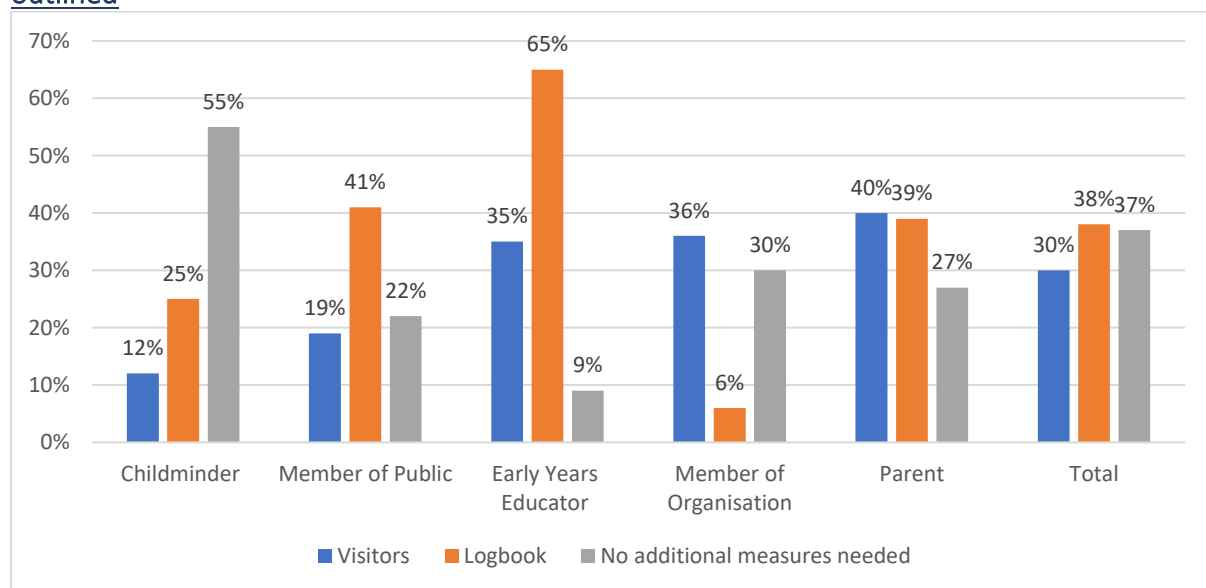
Responses: N = 657; Childminder: n = 243; Early Years Educator: n = 46; Member of Organisation: n = 11; Member of Public: n = 37; Parent: n = 327

Participants in group consultations were asked to indicate whether they agreed or not with the introduction of a log book to record every visitor to the house, with no visitors to the house while the children are present and whether there were any additional measures necessary. Responses are presented in Table 2.

Table 2: Responses to additional measures proposed by group participants

	A log book to record every visitor to the house		No adults, other than the childminder's Garda vetted household members, be allowed to visit while the children are present		No additional measures are necessary	
	Agree	Disagree	Agree	Disagree	Agree	Disagree
Number of participants	65	116	6	173	106	24
% of respondents to question	36%	64%	3%	97%	81.5%	18%
Overall question response	71%		76%		55%	
Number of groups	26	27	5	40	36	8

The findings from Table 2 show that just over one third agree with a log book (36%; n = 65), only 3% agree with the proposal around visitors and more than 80% indicated that no additional measures were necessary.

Commentary from the group consultations referring to these measures focused mainly on the use of a log book for all visitors to the home, with a smaller number of comments relating to Garda vetting which combined with other commentary around that area. Some commentary called for greater clarity around what 'constitutes a visitor' and queries around this included: 'the childminder's children's older friends', someone who 'steps into the house for a moment', 'a neighbour calling for sugar', family who are 'visiting from abroad', 'short visits from the postman or the oil delivery man'.

Views on the log book

Some group participants identified a log book as being helpful and was useful as a safety measure (she felt 'it was beneficial and helped towards protecting her' and that from a safety aspect if something happened to a child there is a log of who was present on the day). One group recorded that 'all participants felt it was an appropriate child protection measure and that it may be a useful tool in their general record keeping'. Another participant in a group noted that 'she agrees with log book, she feels it is practical and makes sense but that there will be extra work required for it especially when she is already so busy'. Feedback from a parent group noted that participants did not want any additional administrative burden on the childminder.

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Reasons why a log book is not necessary

Most commentary focused on reasons why it was neither necessary or wanted although some groups reported that participants said they were 'happy to have a log book if required to have it' and would comply. Reasons given for not having a log book were:

- **Home environment:** Commentary included it is 'not in keeping with the childminding environment', it would 'close their home off to having family and friends to call', 'it's the childminder's home and they don't want anyone telling them who they can invite into it', and it would overly formalise the home setting. Some comments highlighted that parents are welcomed into their home for 'a chat and a cuppa, especially at the end of the day or before the weekend' and this is in keeping inviting people into their home. Having to sign a log book would make parents feel they are not part of the family.
- **Perceptions of a lack of trust:** The use of a log book gives an impression of a lack of trust in people. Comments noted that 'most of the visitors would include close family, friends/relatives' and one comment stated 'you are not going to ask your own children's grandparents to sign into the house'.
- **Supervision at all times:** Commentary included 'no child would be left unsupervised with any visitor to the home', children are required to be 'supervised at all times when visitors are present', 'you would have the cop-on not to leave the child alone with the visitor', 'you just need eyes on the visitor when in the home; and 'children would not be left alone with visitors'. It was also reported that this is required under the regulations and it is common sense' and 'a priority of childminders'. As a consequence there is no need for a log book.
- **Some childminders do not have visitors while working:** Several group reports noted that childminders do not have visitors to the house while minding children, that they 'ban visitors', and do agree [that] visitors a[re] a 'distraction' while they are working. Others highlighted that since Covid people do not call to the house.
- **Informing parents:** Other comments highlighted that childminders 'would verbally inform parents if a visitor came to the house' or was expected.
- **Filling in the log book:** A small number of comments queried who would complete the log book (the visitor or the childminder) and whether Tusla would be reviewing it.

Alternatives to a log book: A small number of groups noted that a CCTV or security camera could be provided as an additional security measure. One group noted that if they wanted to keep track of visitors (e.g. a maintenance worker, older children's friends) they would do so themselves without formally asking people to sign in. Some participants suggested that if it were to be used it should only be for certain groups of people such as 'tradesmen or maybe anyone not your personal friend'. It was also highlighted that if a log book was a requirement it should be 'under safeguarding'.

Maximum number of children

A number of specific questions about the maximum number of children that a childminder can care for were asked in group consultations and the survey and these areas were:

1. The number of very young children
2. Whether the childminder's own children should be taken into account
3. The ages of children including the childminder's own children
4. The upper age limit for the childminder's own children

Decision of childminder/parent

In the survey, parents, childminders and a member of an organisation suggested the childminder should decide themselves noting that 'It should be up to the childminder to decide what amount they should be allowed as each individual knows the[ir] own strengths', 'I think this should be decided by the business owner and parent', 'Limit should not be given, the child minder is capable of deciding numbers they can manage', 'as many as the childminder feels comfortable with', and 'it really depends on the skill level of the individual child minder and their experience in managing children'. One parent highlighted children with additional needs noting that:

I think personally a number shouldn't be all [that is] taken in consideration; some kids may have autism ADHD and when young not diagnosed this has to be though of too.

One parent highlighted that restrictions on the numbers would 'a) deter us from having more children b) push us into leaving the country to expand our family like we've always dreamed of'', while a childminder wrote:

I vigorously object to Tusla having a say on reducing the maximum number of children being minded in a family home at short notice on inspection.

Feedback from the group consultation on this matter also highlighted difficulties in making decisions around this area with comments such as: 'need to look at the ages of the children and take into consideration their individual level of development' and 'age dependant makes most sense, [a] 10yr old child [has] different needs to a baby as have children with additional needs e.g. autism should lower the ratio'. Comments from the survey noted that 'the number of children needs to be set to the maximum, and [for] the children's ages to be taken into consideration'. Some parents suggested that the ratios for 'children of pre-school age upwards should be set similar to pre-school ratios' but after that it should be 'at the childminder's discretion'. Several comments highlighted the direct relationship between the financial viability of looking after young children and the ratios allowed and this issue is addressed in greater detail in the next section of the report. The complexity of determining the maximum of children however, is evident in the following comment:

Ratios will need to take into consideration, children's age and developmental ability levels, capacity and capability of childminders as well as availability of extended resources.

Children under two

Commentary from survey respondents in respect of infants and toddlers suggested that childminders are the main carers for this age group and a restriction in the numbers of children under two 'will drastically limit childminders' availability as well as spaces for children in need of childminders' services', is 'not realistic' and 'it [is] no longer a viable business'. Financial implications for parents were also highlighted and it was suggested that school-aged children would need to be charged at the full rate despite only being there for a short time to offset a loss of income from the decrease in the younger age group.

In the survey, respondents were provided with four options and an additional category of "other" where they were asked to specify an alternative. The most common response for the number allowed was two children under the age of 15 months which was identified by just under one

third (31%; n = 208) of all respondents. This was followed by two children under the age of two years (28%; n = 182). The least common option identified was one child under the age of one year and this accounted for less than 10% (8%; n = 55).

Figure 12: Overall response in respect of the ratio for very young children
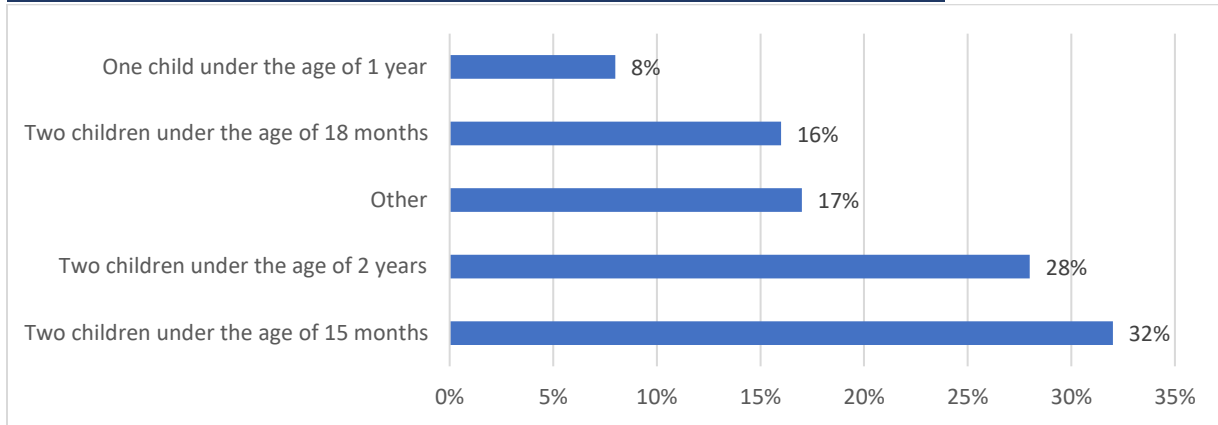
N = 663; RR: 100%

Some differences were identified across stakeholders. Childminders were more likely to identify two children under the age of 15 months (42%; n = 102) compared with any other group including parents (28%; n = 90) which accounted for the next highest group. Almost half of early years educators (46%; n = 21) identified two children under two as the maximum number of children to be cared for at any time and this was more than twice that of childminders, although as noted earlier, their numbers are very small relative to childminders (Figure 13).

Figure 13: The number of very young children to be cared for by a childminder by stakeholder

	Childminder	Early Years Educator	Member of Organisation	Member of Public	Parent	Total
One child under the age of 1 year	7%	9%	18%	6%	10%	8%
Two children under the age of 15 months	42%	11%	27%	22%	28%	32%
Two children under the age of 18 months	12%	22%	9%	19%	16%	16%
Two children under the age of 2 years	21%	46%	27%	33%	29%	28%
Other	18%	13%	18%	19%	15%	17%
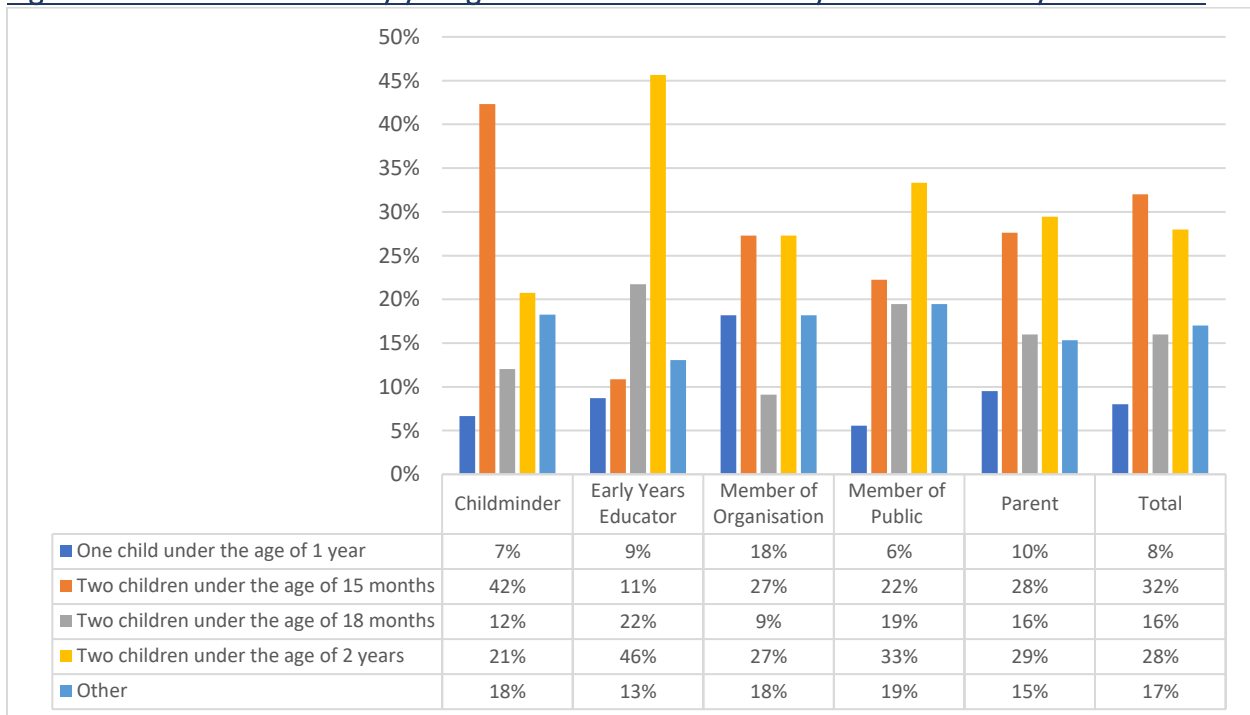
N = 663; RR: 99%; Parent: n = 327; Childminder: n = 243; Early Years Educator: n = 46; Member of Organisation: n = 11; Member of Public: n= 36

As is evident from Figure 13 there is little consensus around the number of children under the age of two to be cared for, and in addition to differences across stakeholders, there are high proportions of respondents indicating "other" as a category and in the open-ended question which followed this.

Findings relating to children under two years from group consultations
In the group consultations, participants were asked to consider, 'within the maximum number of children, a childminder can care for at any one time, what limit do you think should be placed on the number of very young children (under two years)?'.

In total, 189 responses were recorded in respect of this question and the most common response (71%; n = 134) identified was similar to the survey, that a childminder should be able to care for two children under 15 months.

Table 3: Responses from group interviews in respect of children aged under two years

	One child under the age of one year	Two children under the age of 15 months	Two children under the age of 18 months	Two children under the age of two years	Total
Number of participants	10	134	14	31	189
% of participants who responded	5%	71%	7.40%	16%	99%

*Not all figures add up to 100% due to rounding; only 80% of participants responded to this question

This issue generated considerable discussion and disagreement between and within groups and many different suggestions were made. A summary of the issues arising are presented:

Two children under 15 months: A number of groups highlighted that the current ratio allowing for two children under 15 months to be cared for 'was appropriate', 'practical and manageable', 'it didn't need to be changed', a 'childminder could adequately care for children safely with this ratio' and 'is able to give children all the care they need'. One comment highlighted that if there was a fire the childminder 'could safely carry children that weren't mobile with each arm'. Other reasons given for two children under 15 months are that it could accommodate families who had multiple births, families who had siblings born close to that age range, that children close together in age are good company for each as they grow, that many had experience of doing this and managed very well, and that it can be easier to look after this age group compared with their older, more energetic peers. Not all groups, or members of individual groups, agreed with this, noting that 'it would be a lot to manage if you were caring for this age group plus older children', and 'they need a lot of care and attention at this age'. One childminder reported they had three children under 15 months in the past and it was manageable. Another group, however, reported that this would be 'way too much to handle'.

One baby under one year of age: A number of comments suggested that a childminder should be able to look after only one baby under one year noting that 'due to duty of care to young baby only 1 under 1 year was best', 'only one baby should be under the age of 12 months at any one time' and you need to be able to give 'the necessary care and attention to babies'. Participants at other groups differed. One group reported that 'from a socialisation perspective childminders should be able to care for two or more even under the age of 1' and another highlighted that '2 children under 1 years i[s] reasonable'.

Other suggestions included two children under the age of one year, three children under 18 months, two children under two years, three children under three years, 'more than two children under 2 years', three under two years, and six children under three years or six school age children. In one group it was reported that 'all agreed that 2 children under the age of 18 months or 2 children under the age of 2 was too restrictive number wise and not realistic'. It was also noted that it could be a higher ratio if only caring for babies and no other children.

Impact of childminder's own children on the numbers to be cared for

Respondents to the survey were asked to identify the limit on the maximum number of children that a childminder can mind at any one time, taking into account the childminders' own children. Overall, 48% (n = 321) of respondents identified option D ('The childminder's own children should be counted when they are at home, and the maximum number of children should depend on the age of the children being cared for at any one time.') and this ranged from 39% (n = 6) of members of the public, to 41% (n = 100) of childminders and 54% (n = 175) of parents. All other options were considerably lower ranging from 6% (Option A) to 16% (Option C).

Table 4: Number and percentage of survey responses to the impact of childminder's own children on the numbers to be cared for

	Childminder	Parent	Early Years Educator	Member of Organisation	Member of Public	Grand Total
A. The childminder's own children should not be counted, and the maximum number of children should be 3.	21	11	5		2	39
%	9%	3%	11%	0%	6%	6%
B. The childminder's own children should be counted when they are at home and the maximum number of children should be 5 at any one time.	18	60	8	1	10	97
%	7%	18%	17%	9%	28%	15%
C. The childminder's own children should be counted when they are at home and the maximum number of children should be 6 at any one time.	49	42	6	3	4	104
%	20%	13%	13%	27%	11%	16%
D. The childminder's own children should be counted when they are at home, and the maximum number of	100	175	26	6	14	321

children should depend on the age of the children being cared for at any one time.						
%	41%	54%	57%	55%	39%	48%
Other (please give details)	54	39	1	1	6	101
%	22%	12%	2%	9%	17%	15%
Total Number	242	327	46	11	36	662
Total %	100 %	100 %	100 %	100 %	100 %	100 %

The option identified by the highest proportion of all stakeholder groups (39% to 57%) was that the:

> childminder's own children should be counted when they are at home, and the maximum number of children should depend on the age of the children being cared for at any one time.

In a follow up question for those who identified that the numbers depend on the age of the children, respondents were asked about maximum number of children, including the childminder's own children, where they are caring only for children aged six years old who are not attending school. Overall a slightly higher percentage (52%; n = 162) of the 314 respondents that answered this question identified that the maximum should be four children. However, almost double the percentage of parents (61%; n = 106) indicated this compared with childminders (31%; n = 30). The reverse was true in respect of the maximum number of five children where 69% (n = 67) of childminders indicated this compared with 39% (n = 68) of parents. (Table 5).

Table 5: Number of children a childminder can take where they are caring only for children under six years not attending school

	Childminder	Parent	Early Years Educator	Member of the public	Member of an organisation	Total
4 children	30	106	16	7	3	162
%	31%	61%	64%	50%	75%	52%
5 children	67	68	9	7	1	152
%	69%	39%	36%	50%	25%	48%
Total	97	174	25	14	4	314

In the group consultations, participants were asked: What limit do you think should be placed on the number of children that a childminder can mind at any one time, taking into account the childminder's own children?

Coherent with the findings arising from the survey the following option was identified by 62% of participants (Table 6):

The childminder's own children should be counted when they are at home, and the maximum number of children should depend on the age of the children being cared for at any one time.

Option	Number and %
The childminder's own children should be counted, and the maximum number of children should be 5 at any one time.	5
%	3.70%
The childminder's own children should be counted when they are at home, and the maximum number of children should be 6 at any one time.	46
%	34%
The childminder's own children should be counted when they are at home, and the maximum number of children should depend on the age of the children being cared for at any one time.	84
%	62%
N	135

*57% of participants across 45 groups responded to this question

It was clear from the reports of the consultations that this issue generated considerable discussion both within and between groups and examples of the types of issues arising include:

Childminder's own children should not be counted: Commentary included childminder's own children 'should not be counted regardless of age of the children', that 'childminders know what they can manage, and they know their own biological children and that it should be determined on a case by case basis'.

Different options: Differences within groups were identified and this is evident in the following example from one group where all the following options were recorded: '2 childminders felt the maximum number of minded children at any one time should be 6 and the number of childminder's own children should not be counted. 1 childminder felt that the childminder's own children should not be counted and the maximum number should depend on the ages of the children. For example, if a childminder has 6 school age children they should be allowed to mind more children. Childminder's children should not be included in numbers as soon as their child finishes 3rd class'.

Financial viability needs to be taken into account: The dependency on the numbers of children to be financially viable was identified in several reports of group consultations with comments stating:

> 'not financially viable if they can only mind three (along with their own children); Childminding exclusively 6 SAC (school aged children) is not financially viable – then minding a baby is needed to make up for the loss.'

> 'Childminders raised concern about their business being viable and being able to make a living, therefore they advocated for maximum 6 excluding their own children.'

> '… by counting the childminder's own children it may result in very few childminders entering the industry and instead of helping the increasing problem of unavailability of childcare they will be adding to it.'

Caveats on the maximum number: Some groups identified six children as the maximum. Others suggested more or less with, and without caveats. These caveats included taking

account of the 'age of the children being minded', 'the children's dispositions and personalities', 'the children's needs', 'when the childminder's own children are at home', if 'their own children are under 6 years of age', 'the size of the house', 'house insurance', 'the number that can fit in the car' and it was noted that 'for insurance you can only have 6 in the car at any one time'.

Only in the home for a short time: It was recommended that an allowance should be made for children who are only in the childminder's home for a short time as there may be 'a short overlap window' (for example, late pick-up, late school start overlapping with a younger child being minded') and that this should be written into the Childminding Regulations.

Age of the childminder's children

A supplementary question was asked of respondents to the survey about the age of the childminder's children as follows:

> If the regulations are to require that a childminder's own children (when they are at home) be included in the maximum number of children, what should be the upper age limit for the childminder's children counting towards that number?

About half of all respondents (48%; n = 318) indicated that the childminder's children under six years old who are not yet at school should be counted and about one third indicated that the childminder's children up to the end of primary school should be counted (35%; n = 233).

Figure 14: Overall age of childminder's children
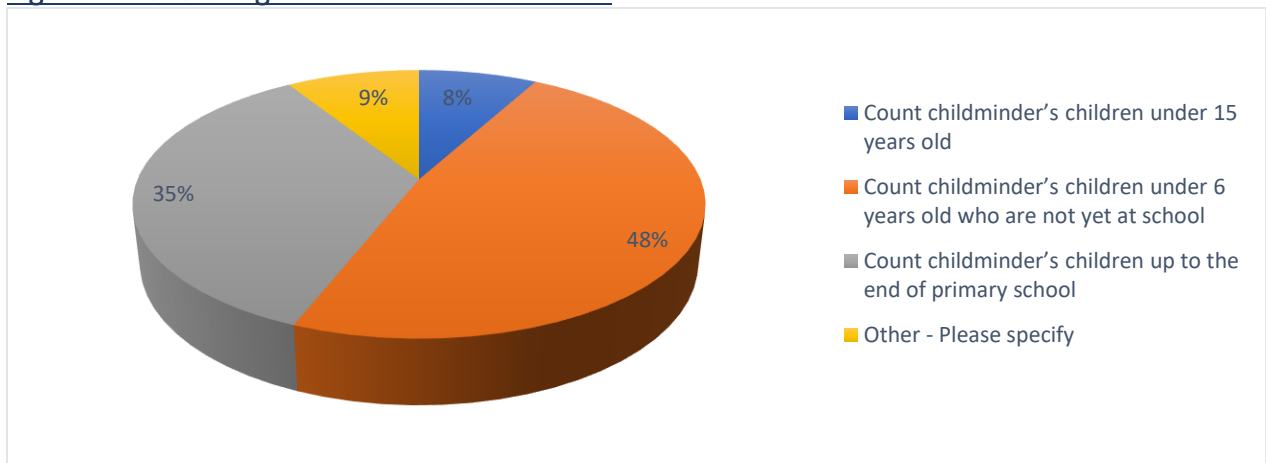
N = 657; RR: 99%

More than 60% (62%; n = 151) of childminders indicated that childminders' children under six years old should be counted and 24% identified counting childminders' children up to the end of primary school. In contrast 42% (n = 136) of parents indicated childminders' children under six years should be counted and a similar proportion identified that childminders' children should be counted up to the end of primary school (Figure 15).

Figure 15: Stakeholder differences in the age of the childminder's children
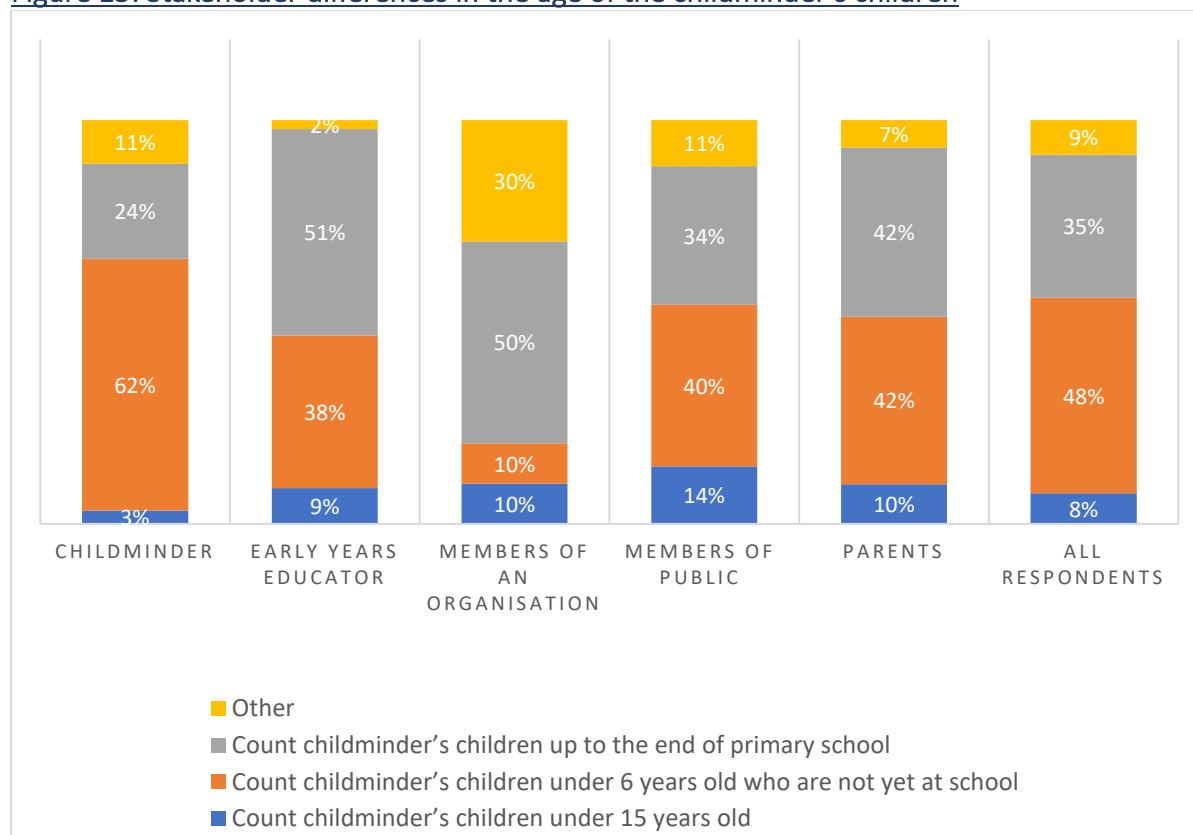
Total: N = 657; Childminder: n = 242; Early Years Educator: n = 45; Member of Organisation n = 10; Member of Public: n = 35; Parent: n = 325.

Responses to questions about the age of the childminder's own children from group consultations

Participants were asked:

> If the regulations are to require that a childminder's own children (when they are at home) be included in the maximum number of children, what should be the upper age limit for the childminder's children counting towards that number?

Table *7*: Responses to questions about the age of the childminder's own children from group consultations

	Childminder's children under 6 years old who are not yet at school	Count childminder's children up to the end of primary school	Count childminder's children under 15 years old	
Number of participants	105	54	1	160
% of participants who responded	66%	34%	0.1	100.1%

*68% of participants across 39 groups responded to this question
Two thirds of respondents indicated that the childminders' children under six years old who are not yet at school was the most appropriate age with about one third identifying childminders' children up to the end of primary school.

Similar to previous questions about ratios, however, there was little consensus around what the most appropriate age to take into account would be. One group reported:

> 2 childminders felt that childminders' own children counting until end of primary school was too long but that 6 was potentially a bit young.

Other options considered:

Childminders' own children should not be taken into account: Other groups responded that childminders' own children should not be taken into account ('Childminder's own primary school children should not be counted whether at home or not!'; 'only count if you can claim NCS for your own children'). One group queried what happens during 'Holidays Easter etc. – does the child count? If child is sick? Election Days? [school] Staff Training Days?'. One group reported the following comment: '2 strands of childminders with different max number requirements. Set the max number higher and let childminder decide their own capability'. One group highlighted the financial impact of taking their own children into account.

Children with additional needs: It was reported that 'if minding a child with additional needs [then] children under 6 years old who are not yet in school only should be counted'.

Various alternatives included '15 years was the right age to have it at as once they turn 16 they have to get Garda vetting as an adult would', 'six years if not in school', '8 years', '9 years', '11 years', '12 years', 'children up to the end of primary school', 'definitely count the CM's [Childminder] own children up to the age of 6 or possibly even 8 but not to count children aged 12 or 13'.

Only caring for children under six years
Participants at group consultations were also asked:

> If a childminder is caring for only children under 6 years old who are not attending primary school, what should the maximum number be? Please identify the number of participants who agree.

Table 8: Number of children a childminder can care for if only caring for those under six years

	4 children	5 children	Total
Number of participants	12	117	129
% of participants who responded	9%	91%	100%

*Percentages calculated from number who responded to this question. 55% of participants across 42 groups responded to this question.

The findings show that 91% identified five children, although several reports suggested that another category of six children should have been included in the options provided. It was noted that participants were disappointed that it had been excluded.

Six children: There was good support across groups for six children and examples were given of childminders who had previously minded six children at the same time and 'were able to provide quality care'. A small number of groups identified five as a maximum with one group reporting that:

> One childminder said I need 5 to provide a stimulating environment and [an]other childminder said I need 5 for sustainability.

It was also suggested that the number of children should be 'a decision for the childminder', 'left to their discretion' and that if they wished they could opt to take fewer children. The financial viability of being a childminder was also noted by a number of other groups.

School-aged children

An increase in the number of after-school children that can be cared for was recommended and childminder comments stated: 'It's not fair we can only mind 6 afterschool. Please change the regulations so we don't need planning if we go over 6 children'; and 'childminders need the ratio increased if looking after afterschool children'. One childminder reported they were a qualified primary school teacher who is 'allowed to mind up to 30 children aged 4 and 5 in one classroom' noting 'childminders can definitely mind more than 6 in our own homes'. Another comment noted:

> I personally think the ratio needs be looked at, or childminders will probably only mind preschoolers as financially you'd have to charge the school age children the full time rate as they would be taking up one of the places.

Only caring for children who are currently attending school
Another question at the group consultations asked:

> If a childminder is minding only children who are currently attending school, what should the maximum number be?

Table 9: Number of children a childminder can care for if only caring for those currently attending school

	5 children	6 children	7 children	8 children	Total
Number of participants	9	51	9	110	179
% of participants	5%	28%	5%	61%	99%*

*56% of respondents across 35 groups responded to this question; *The total does not add to 100% due to rounding.

Sixty-one percent (n = 110) of participants identified eight children as the number they can care for. Several groups commented that eight children was the maximum number with one group highlighting that 'you will not receive full pay but yet in a childminding setting the school age child will most likely be taking up a full space'. It was also highlighted that many childminders provide flexibility for parents who work unsocial hours such as shifts, weekends, and overnight and that some may have a different rate every week. This means that the childminder may be caring for children on different days of the week and may be only minding five children one week and eight another. One group suggested that 'eight older children would be too much for

any one person' and another group reported that the number would be dictated by the number that can fit in a car, car insurance and house insurance.

Survey respondents were also asked to consider what should the maximum number of children to be minded should be when a childminder is minding only children who are currently attending school. The findings are presented in Table 10 and show that 35% (n = 112) of respondents identified the maximum should be 8 (n = 112) children and this was followed by 31% (n = 100) who identified a maximum of 6 children.

Table 10: Responses to the question 'When a childminder is minding only children who are currently attending school, what should the maximum number be?'

	Childminder	Early Years Educator	Member of Organisation	Member of Public	Parent	Grand Total
5 children						
No.responses	10	8	1	6	45	70
% responses	10%	32%	20%	43%	26%	22%
6 children						
Number responses	33	6	2	2	57	100
% responses	33%	24%	40%	14%	33%	31%
7 children						
Number responses	13	2	1	1	19	36
% responses	13%	8%	20%	7%	11%	11%
8 children						
Number responses	44	9	1	5	53	112
% responses	44%	36%	20%	36%	30%	35%
Total number	**100**	**25**	**5**	**14**	**174**	**318**
Total %	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**

* Total: N = 318; Childminder: n = 100; Early Years Educator: n = 25; Member of Organisation n = 5; Member of Public: n = 14; Parent: n = 174.

Mixed age groups

Respondents to the survey were asked to indicate: 'When a childminder is minding a mixed age range of children at the same time, some who haven't started school and some who have, do you think that the larger the number of one age group, the fewer of the other age group should be allowed?'

Fifty percent of the 316 respondents to this question indicated yes and the remainder indicated no. There was good agreement between childminders (52%; n = 47) and parents (48%; n = 90). More than two thirds of early years educators (68%;n = 17) responded no to this question although their numbers are relatively small.
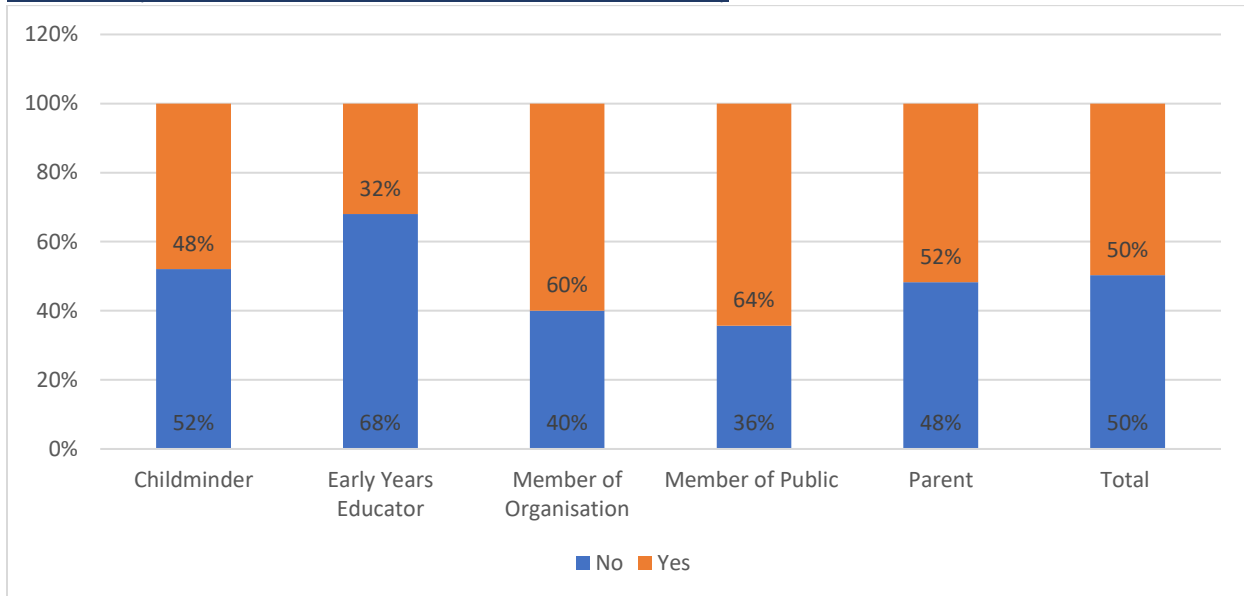
N: 316; RR: 49%; Childminder: n = 98; Early Years Educator: n = 25; Member of Organisation: n = 5; Member of Public: n = 14; Parent: n = 174

Comments about mixed age groups included 'the childminder should be allowed to cater for a mix of ages and should not be penalised' and 'the childminder provides a fantastic, safe environment for children of different ages to interact and play freely which is not only enjoyable for but extremely beneficial to the children'.

Group consultation views on mixed age groups
Groups were asked to identify the number of participants who agreed/disagreed with the following statement:

When a childminder is minding a mixed age range of children at the same time, some who haven't started school and some who have, do you think that the larger the number of one age group, the fewer of the other age group should be allowed?

Table 11: Number and percentage of group participants who identified changes in respect of mixed age groups

	Yes	No
Number of participants	130	37
% of participants who responded	78%*	22%

*71% (n = 167) of participants across 42 groups responded to this question

In general, those who identified yes as a response to this question suggested that 'the fewer number would need to be the younger age group' and examples include 'three early years children alongside 3 school age children'; 'No more than 6 of the 8 minded children should be pre-school children and no more than 2 should be under 15 months (this includes Childminders own children)'. A number of groups referenced the 'current table outlining the numbers of pre-school and school age children' (Table 12) as being useful in determining how best to balance mixed age groups. It was noted by the DCEDIY, however, that this table is not 'the current table' and does not reflect the table set out in Schedule 9 of the School-Age Regulations which e.g. includes an option of 10 school-age children and 1 pre-school child.

Table 12: Table provided indicating numbers of pre-school and school aged children relative to each other

Number of pre-school children	1	2	3	4	5	6	0
Number of school aged children	5	4	3	0	0	0	6

Similar to previous questions on ratios, it was reported that group participants suggested it be left to the discretion of the childminder.

Other options: Other suggestions made were that the maximum number of children should be six, five, eleven, 'remain at twelve' and decision be left to the childminder. It was recommended that 'emergency collection from school should also be considered in the ratio'.

Other commentary in respect of ratios:

- 'A child with additional needs may require more care and this would affect the maximum number ratio for that childminder.'
- 'Children with additional needs have to be considered in the ratio count and need to be catered for via supporting programmes. It was also noted that 'CMs have not been able to apply for AIM (Access and Inclusion Model)' and it was queried 'how do you have 6 children and have a child with additional needs that requires an SNA present in your service??? How can this promote inclusion? Why can a CM not access AIM? At a minimum CMs should be able to access Levels 1-6 on AIM.'
- 'Difficult to come up with a solution with so many unknowns.'
- 'The pre-school regulations would be helpful.'
- 'The ratio of minded children needs to allow for siblings to be cared for, flexibility for parents working different rotas, a natural family mix, and the childminder's income.'

- 'Numbers depend on hours and ages of children but children could be gone home, meaning there is space available.'.
- 'Consider having support of another person.'
- 'If ratios are decided on a case by case basis, it could be time consuming to get registered with Tusla for all the visits to happen and ratios to be decided.'
- 'When all children become school aged the wages of a childminder goes down which means you need to mind babies to increase income to make it worthwhile.'
- 'The needs of the childminder's own child at 10 years of age is different to someone else's child at 10 years of age.'
- 'QAP(Quality Assurance Programme) – helped inexperienced childminders to know how to childmind, this would be great for new childminders. '
- '!!!!!!Income profile of childminders should be taken into consideration e.g. sole wage earner or a one parent childminder etc.!!!!!!!! '

The Childminding Service Handbook

In response to a question in the survey of whether 'any additional policies or documents you think should be included in the Childminding Service Handbook?', overall 15% (n = 98) indicated there were; 59% (n = 384) of respondents indicated there were not and a further 26% (n = 173) indicated they were unsure about it. Childminders were more likely to indicate that no additional policies or documents were required (73%; n = 175) compared with between 50% and 60% of other stakeholders. While almost three quarters of members of an organisation indicated there was a need for additional policies or documents to be included, this referred to only eight respondents.

Figure 17: Response from survey respondents to whether additional policies or documents were required in the Childminding Service Handbook
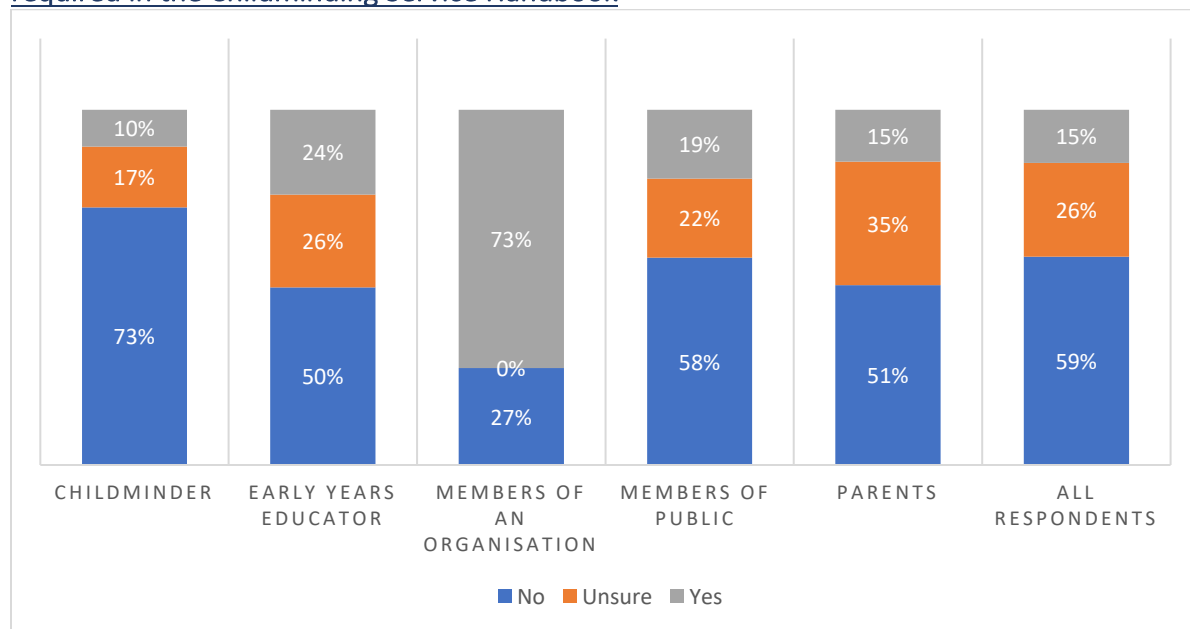
Total N = 655; 99%; Childminder: n = 240; Early Years Educator: n = 46; Member of Organisation n = 11; Member of Public: n = 36 Parent: n = 322

The findings above in respect of childminders were also identified in the group consultations. The same question was discussed and about 72% of participants indicated there were not any additional policies or documents to be included. However, there was a lack of consensus between groups and an indication that additional information was required was identified in respect of 23 groups (Table 13).

Table 13: Need for additional policies or documents to be included in the Childminding Service Handbook

	Yes	No	Unsure
Number of participants	61	159	4
% of respondents to question	28%	72%	0.1%
Overall question response	94%		
Number of groups	23	32	2

Commentary provided on the handbook was positive and noted that 'everything you need is here', 'all policies that are relevant are proposed already, all the proposed content is important', 'it's a workable document', 'easy to read'', is 'a valuable tool', 'attendees did not feel it needed to be added to', and 'it covers the majority of information childminders share with parents informally at present'. Some commentary highlighted that 'Admin is being made easier with the handbook, well done!' and 'Great idea to have childminder's handbook, it will be so helpful and really useful to ease the admin work.'

It was noted that 'having a contract provides the childminder with confidence in discussing the terms and conditions of the arrangement with parents'. Other commentary highlighted that they welcomed the provision of all the templates for the handbook and it 'sounds like 'mana from Heaven' if it is all developed and given to childminders as part of the PRT [pre-registration training]' . It was also highlighted that childminders are 'anxious about the initial completion and keeping on top of regularly reviewing their necessary documents'.

Concerns expressed related to the administrative burden, the limited information, concerns about the Tusla requirements, and potential confusion between guidance documents and regulation. These issues are addressed in the following section.

Policies/policy areas to be considered for inclusion
It was noted that the handbook should allow for personalisation e.g. 'the inclusion of information on the ethos of their childminding service'. A number of policies and policy areas were identified for inclusion.

An 'outings policy and procedures to be in place when out and about' that takes account of 'community considerations' was the most commonly identified additional area for inclusion. Others mentioned less often were:

- A policy stating the childminders need to know the legal status of parents/guardians in terms of being allowed to collect from the service
- Car use
- Child development neurodiversity/neurodivergence
- Clear listing of infectious diseases (illness policy with exclusions for chicken pox)
- Communicating concerns for child development

- Data protection policy/photographs – 'what we should have in it to protect ourselves and the kids'
- EPI pens policy
- Fees policy, stating payable weekly/monthly
- Fire safety and fire drills
- Guidance on sleep provision
- Healthy eating (feeding a child in the car, religion, culture, dietary allergies)
- Infection control and diagnosed illness
- Insurance
- List of neighbour visits who might visit the service from time to time
- Lost child policy
- Medicines
- Outdoor play/messy play
- Overnight policy
- Partnership with parents
- Phone policy for children and childminder
- Respectful behaviour/behaviour management policy
- Risk assessment
- Safe preparation of food and drink similar to HACCP (Hazard Analysis & Critical Control Point) guidelines
- Standard fees policy
- Sick children kept at home
- Sun safety
- Termination of contract policy detailing the steps required for both the childminder and the parent
- Timeframe between a child having spent time in a hospital and being able to return to the service
- Visitor policy

Missing from the regulations

Respondents to the survey were asked 'Do you think there is anything missing from the Childminding Regulations?' and overall about one quarter of respondents indicated there was. With the exception of those 'members of an organisation' (45%; n = 5), this varied between about one fifth and one quarter across stakeholders. Twenty-seven percent of childminders (n = 63) indicated there was something missing and 20% of parents did so (Figure 18).

Figure 18: % of stakeholders indicating that there was something missing from the DCR
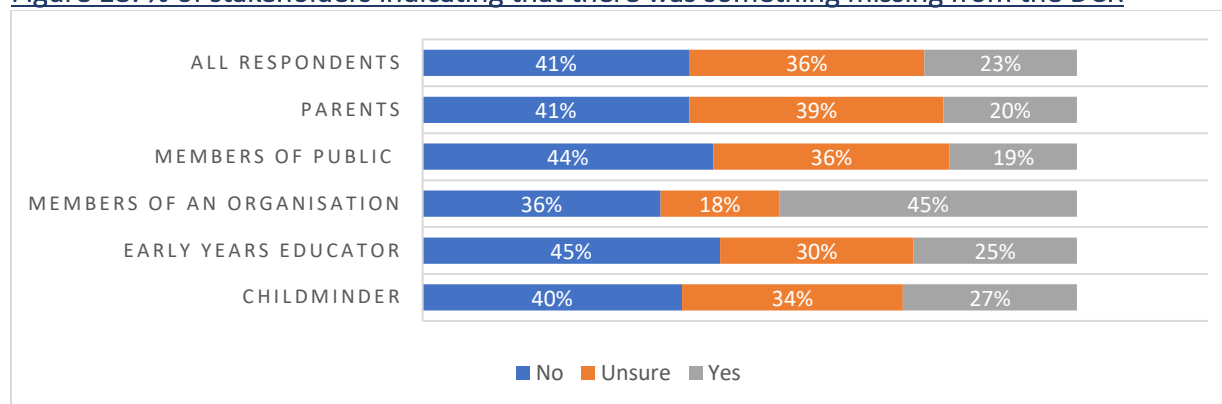
Total: N = 647; RR:97%; Childminder: n = 237; Early Years Educator: n = 44; Member of Organisation n = 11; Member of Public: n = 36 Parent: n = 319

Nineteen consultation groups (36.5%) indicated that there was something missing from the DCR and this included 27% of respondents to the question. Much of the commentary suggests, however, that rather than missing any individual item, the regulations were missing detail and comments highlighted 'uncertainty', 'disappointment' that more is not known, 'vagueness' and 'no clarity' throughout the regulations themselves. A small number of areas, however, were identified and these included:

- **Sanctions for noncompliance:** A need to identify 'important pieces about sanctions for childminders if deemed non-compliant, those who 'break the regulations', consequences if childminders do not register
- **Support from others:** 'how safely a relief person or family member can support you

Commentary in the survey also suggested inclusions as follows:

- **Outdoor space:** Include reference to outdoor space for children in the regulations
- **Digital safety** e.g. children shouldn't be using or have access to devices like phones although 'limited tv ok, [such as] educational programmes'
- **Pedagogy and development:** There should be an additional focus on the pedagogy and development side. Going beyond only health, safety and safeguarding.

Areas for inclusion were identified at the NSF although participants at one table reported that 'everyone agreed that there wasn't more to be added'. Some areas identified were specific to individual regulations and are taken into account in the next section. Other broad areas for inclusion related to:

1. language that is more coherent with the childminding sector
2. explicit inclusion of children with additional/complex needs
3. an appeals process for registration and for inspection
4. clarification/insertion of other legal requirements
5. information in the regulations about the need to tell parents about inspections
6. training programme
7. additional areas for consideration

Participants at the NSF were also asked whether there were any exclusions, and while several amendments were identified, only a small number of exclusions were identified as follows:

- Clarify if the QRF is for childminders or guidance.
- Is risk benefit analysis regulatory or guidance?
- Reconsider complaints as it is not clear how the parent can complain or who the parent can complain to ('If breakdown [in relationships] parents leave but ..– who do you elevate to?').

Summary

This section has considered issues relating to safeguarding, training, the Childminding Service Handbook and the maximum number of children a childminder can care for, and what participants said was missing from the draft regulations. The area generating the most discussion and consideration relates to the maximum number of children to be cared for by childminders. Specific responses from survey respondents and participants in group consultations were provided in respect of children under two years, school aged children, mixed age groups, childminders' own children and maximum numbers overall, and all have been reported on.

The results show some variation between the views of childminders and parents, with childminders generally identifying higher numbers of children that can be cared for. In respect of children under two years, the highest proportions identified two children under the age of 15 months although a lower proportion of parents identified this compared with childminders. Some views expressed suggest that childminders are best placed themselves to decide how many, and of what age group they can mind. Other areas addressed in this section relate to safeguarding, training and the Childminding Service Handbook.

Section 5: Commentary relating to the context of childminding

Throughout the submissions there were many references to the importance of understanding childminding, and criticisms that the DCR did not reflect the nature of this type of care. Some consideration is now given to these perspectives and this is followed with challenges arising. Much, although not all, of the analysis and findings presented in this section draws on the information provided in submissions as their unstructured nature allowed for a more organic approach to emerging themes.

Perspectives on childminding

A number of submissions presented their perspectives on childminders and childminding. Several childminders noted they loved their work and are passionate about it. Comments included 'I love my job and each child and family I mind', 'I love the children I mind & the families become friends over the years', 'I have enjoyed childminding in my home where I feel I have provided a safe, happy home from home environment'. This is also reflected in commentary from parents and one parent wrote:

> Over the last few months, my partner and I have built a strong rapport with our childminder, we trust her and we are so grateful for her help over the last few months.

Some comments identified the motivation for being a childminder as being able to be with their own children with comments such as 'most childminders start as young mothers who want to stay home with their own children'. One childminder noted

> I decided to become a childminder because I had a daughter 17 months ago and with no family around, nor the possibility of taking her to a Creche (because of the childcare crisis and because it would take away my entire salary), it was the only way to survive.

Another highlighted that they became a childminder because they 'struggled to find a childminder and we simply couldn't afford a creche.' While another noted 'it has given me the opportunity to be here for my own now grown-up children as they finished school'.

Childminders working alone

Attention was drawn to the definition of childminding in the National Action Plan for Childminding (2021-2028) (NAPC) as paid, non-relative home-based care of children from birth to 14[v] noting that childminders work in their own home, and they work alone. It was highlighted in some submissions that childminders are 'working singlehandedly', 'on their own' and are 'small scale', and that the regulations include the language of "single-handed provider". It was suggested, however, that the reality is childminders often have 'a second pair of hands, at times during the day, providing assistance for various reasons (i.e. school runs, preparing meals, being in the outdoors, with perhaps older children after school)'. One submission highlighted that the absence of reference to support from 'family, friends, and neighbours in the regulations does not reflect the reality of childminder practice in Ireland' and it was suggested that 'many childminders could not run their services' without supports from these people. In one submission, reference was made to a research study that reportedly found that about 65% of childminders had assistants, for example to do school collections, or to supervise sleeping babies while they do the school run, and that 'assistants are often volunteers, although some childminders might pay a cleaner, for example'.

This issue was also raised by some childminders themselves with one noting that 'I would like on occasion to employ someone to do a few hours with me during busy times' noting that it would be 'handy and reduce pressure' because childminding 'can be a very lonely job at times'. A group report also highlighted this noting that a question about whether 'a childminder could hire a staff member' or 'take on someone for work experience' had been asked in their group. It was also noted in some submissions that family members and others, particularly other family members, are often involved in the childminding and add to the richness of experience and development opportunities for the children being minded. One comment from a childminder noted:

> Tusla have to understand CM need and [they] cannot continue without the use of relief person or family members to support their business.

Impact on children with additional needs

At the NSF, some discussion of the impact of the current definition of childminding on children with special needs was raised and these concerns were expressed during the oral feedback session stating:

> there was a significant concern raised around the impact for children with additional needs because often child minders employ someone in order to care for the children with additional needs. However, child minding is not permitted to employ anyone under the draft regulations. So that was a big one [issue emerging from the group].

Characteristics of childminding

Characteristics of childminding are drawn from each element of the consultation and highlight areas that may be negatively impacted by the regulations.

Observations about how childminding is characterized are important as they set the context within which many of the childminders who repondened to this consultation view the DCR. It would appear that, for many, childminding is, in effect, seen as the raising of an extended family and the expectations of regulation are informed by the level of oversight they would anticipate of their family-raising activities.

Figure 19: Some characteristics of childminding

Characteristics of childminding

- **Home away from home environment**: 'my home, literally a home away from home for the children', 'siblings can remain together', 'a setting that is homely, feels familiar and comforting to everyone, the children I care for and my own family'. Within family homes, a natural network of people often come and go, including neighbours, relations and family friends.
- **Child treated as one of their own**: 'I know these children almost as well as my own', 'more personal and still in contact with most of these families', 'you understand them and believe in them', 'This way the child gets the love, bonding, learning, structure, routine, discipline etc that the parent would provide if they were there. I take on a mom role for the sake of the children', 'Many families appreciate the close relationship with the childminder', 'They receive the love and care as if they were my own', 'they become your own'.
- **Flexibility**: 'As childminders we provide a flexible service', 'we are flexible to the needs of children and parents/family', 'more flexible', 'a second home where children become part of the childminders family and are cared for just like your own children', 'a safe, happy home from home environment', 'The beauty and nature of a childminder is the flexibility they can provide to several families', 'Childminding is bespoke for each child/family from hours/days/requirements so no one size fits all', 'I have had the pleasure of children staying overnight on occasions as they have no family nearby and … their children are comfortable with me, the parents got to relax'.
- **Continuity**: 'My past mindees keep in touch and often call', 'It's a continuity of care from 6 months to 6th class not multiple people in different rooms looking after them', 'My door is always open for my past mindees, some of them still pop in for a chat and to visit their second home', 'I have had children start with me at as young as four months old and remain in my service until they start secondary school'.
- **Embedded in the local community**: 'childminding is the backbone of communities. It enables children to grow up in their local area. They attend their local small setting ECCE service, they attend their local small school and play football in their own Gaa club', Childminders are 'accessibility in communities where centre or group-based services are not'.
- **Business**: 'This is what childminding effectively is, a business!', 'I started my own childminding business from my home', 'Much of it is underground and on the black market. I am aware of several childminders minding up to 10 children on their own in their homes, receiving cash in hand (while availing of state benefits) and who have no paperwork for the children in their care nor any insurance etc', 'Childminders are not very well-paid profession', 'I feel childminders need more support and pay needs to be re valued'.

The characteristics of childminding, as described, are evident in the examples of care and activities carried out and examples include:

- **caring and nurturing the children**

- **activities:** 'a wide variety of activities such as arts and crafts, birthday parties, dressing up', 'the chance for the kids to socialise without going into a more formal environment', 'minded-children take part in the daily life of the childminder's home'.
- **outings: '**visits to the library, playgroups, playgrounds, the park', 'going to supermarket and post office', 'go to the local forest or beach for a walk and decide that we will have lunch out in a local cafe', 'being out and about at the local post office or at a Toddler group to baking their favourite cake', 'day trips, picnics, sports days, football matches'.

What childminding is seen as not being
Throughout the submissions many childminders pointed out that childminding is <u>not:</u>

- **a creche, early years service or pre-school.** Many of the comments were made in tandem with concerns about the language used in the DCR and perceptions of the implementability of the DCR. Comments included 'My home is my home, a family home not a premises'.
- **an educational service.** Comments were made specifically excluding the childminding service as providing education or following a curriculum. Examples of comments include: 'childminders are substitute mothers not formal educators', 'It is not an early learning service but a nurturing service for all age groups of children',' 'Childminding is offering parents an extension of their home environment not a learning centre', 'A childminding service is not an educational facility and I believe the words "learning" and "development" should be removed for this reason'. One comment highlighted this noting:

    There should be absolutely no curriculum or goals to be met for children in the childminders setting. Pre-school children and school age children have enough structured learning in school.

- **a career.** A small number of comments suggested that in Ireland **'**childminding isn't really considered a career just something you do to earn a little extra on the side for most', and that the motivation for doing childminding is to look after their own children.
- **a babysitting service.** One comment noting 'we are not just glorified babysitters, which is how we seem to be viewed. We have a value in the community'.

Commentary from the survey suggests that childminders want a clear differentiation between childminding and other types of early years services. Comments included 'please consider these are our homes', 'My home is my home and that is how it needs to stay', 'All I ask is that I don't have to change my home into a creche setting', 'I would like to say we are childminders we are not a Creche. Parents choose us because it's supposed to feel like a home away from home', 'the requirements for the children is different and no one fits all and this is what parents want not a mini creche'. One parent said 'My biggest concern is that childminders' homes will be treated like creches'.

At least some of the desire to identify what childminders are not arises from the language of the DCR. This is evident in the text analysis of submissions (Table 14) where the type of service and need for a specific set of regulations for childminding was highlighted.

Category	Synonyms	Number of occurrences	Interpretation of meaning
Type of service	Creche, Centre, Curriculum, ECCE, Early Years Service, Pre-school	185	This refers to the difference between childminding and any of the named services and the concern that the regulations reflected these types of services rather than childminding.
Specific	Copy and paste Specific	57	This relates to the very often repeated opinions that childminding needed its own specific and tailored set of regulations to capture the essence of what it is and not to equate it with centre-based childcare.

The terms 'pre-school' and 'cut and paste' largely relate to the perception by many that the regulations are essentially a re-working of the existing pre-school regulations which, it is suggested, is inappropriate as they are not reflective of childminding which is based in the family home. Commentary includes 'Regulation 5 is copied and pasted from centre-based regulations'; 'Regulation 1: The Draft Childminding Regulations are almost a copy and paste of the current pre school regulations'; 'There is no need for parents to receive a 40 page handbook full of ridiculous policies, which are all just a "copy & paste" of the templates provided by Tusla.'

This issue was also highlighted in other strands of the consultation. Commentary from the survey suggested the DCR had been copied from the pre-school regulations noting 'they are almost copy and paste of the pre-school regulations and not tailored specifically to childminders' while another noted 'the regulations are geared more towards creches etc, not towards an individual childminder'. An issue of concern identified by participants at the NSF related to the language used in the regulations and this was commented on by participants at each of the five tables. It was noted that:

- the regulations were identified as 'not yet appropriate, proportionate and childminding specific' and of the language being 'too similar to centre-based care'
- 'childminders [are] put off by the clinical language of regulations and registration' and that it is 'disappointing that 'language was legalised in regs'. It was highlighted that the word ''settings' needs to be avoided in the regs'.

General areas of concern

This next section now considers the general areas of concern arising from the DCR and it is notable that while different methods used to collect information from stakeholders taking part in different strands of this consultation, overall, there was considerable consensus across stakeholders in the issues raised. The areas of concern build on the unstructured nature of the submissions which allowed for a thematic analysis of the main areas of concern, their impact on childminders, and, the regulations most likely to create the challenge (Figure 20).

Figure 20: Themes, impacts and main regulations associated with concerns

Financial viability	Implementability	Moving from a private to a public space	Autonomy dimished	Infringement on the family home	Uncertainty
Reduced income	Increased administration	Being judged	How the child is cared for	Family environment	Lack of clarity
Additional costs	Not feasible	Information publicly available	Reduced flexibility	Family members	Regulation 4, 5, 13, 18
Regulation 12, 5, 8	Reduced flexibility	Regulation 25, 10, 6	Regulation 17, 11, 25	Regulation 1, 2 14, 25	
	Regulation 5, 8, 15 and 16				

These issues are now considered.

Financial viability of childminding

Deep concerns were raised about a reduction in income arising from changes to the maximum number of children that can be cared for, other potential reductions in revenue, and increased costs. The financial viability of childminding was called into question if the regulations are implemented and these views were very closely related to the prediction that many childminders will leave.

Regulation 12 - Maximum number of children

The main focus of this concern related to ratios and one childminder wrote:

> Regulation 12: This regulation could be the proverbial "nail in the coffin". This may potentially seal the fate of the child-minding sector. This is how important it is.

The importance of the impact of this area is highlighted in the text analysis of the submissions where the term "ratio" is mentioned 203 times. Throughout the submissions, it was questioned why there were proposals to reduce the ratio of children from the current number allowed under Tusla registration and comments included 'if the numbers are limited, it won't be financially viable for many and they [childminders] will leave, including me', 'The new regulations will impact our ratios and effect our earning power', 'the ratio would mean for childminders like me it may not be viable financially to make an income when my own number of 3 children is included', 'I have 4 children of my own and financially it won't be viable for me to continue as a childminder due to the new ratios which are lower than the current Tusla registered childminders', 'There is no sustainable way to have your children count', 'The viability of the business as families grow will also have an impact, as one family may have 3 children which is half of a childminder's overall ratios and limits their ability to bring in the revenue needed'.

A limitation on the number of children under the age of two years was identified as particularly problematic in the current climate 'since many "baby rooms" or "under 2s rooms" in a vast number of creches have closed of late, leading to a greater demand or need for care of under 2s' and 'most of the demand at the moment are from parents whose kids are between 6 months

to 18 months'. It was suggested that childcare for infants and younger children is very challenging and it was highlighted in a number of submissions that changes to the ratios will greatly reduce the number of places for this cohort.

This issue was reiterated in group discussions where it was highlighted in a number of groups that childminders are 'ideal' for small babies and the 'demand is in the baby/toddler group' and that many creches do not take children under one year. Feedback from one group highlighted that 'many ELC's (Early Learning and Care Centres) are no longer taking under 1s due to the cost of same' meaning that 'a parent is under pressure to have their younger child cared for' while another group reported that 'parents are desperate and creches will not take children under 1 with some refusing children under 2'. Other group discussions also highlighted that changing the ratios would be 'difficult and unsustainable', and would not be viable 'with inflation, minding less children, bringing in less money'. While one organisation suggested that 'childminders should be presumed to be operating within a safe adult-to-child ratio, and therefore unaffected by the regulated ratios', most of the commentary highlighted that a reduction in the number of children will be necessary for many services if they register and 'come on board' making it unviable for them.

Other impacts on income
In addition to a reduction in income, a number of additional costs that have to be met as a result of the regulations were identified. The term 'cost' appeared 54 times in the overall submissions and refers to additional costs arising in implementing the regulations with a particular focus on training, registration, improvements needed, additional staff and so on. Comments in submissions noted that 'the costs are crazy for small providers who have to pay the same as bigger facilities for everything from courses, repeat courses (i.e. first aid €295 every 2nd year), forms, fire certificates, chartered accountants etc.', 'Will there be a training course on nutrition? Who will bear the costs of this training should it be required?', 'The costs associated with this new legislation (training, inability to increase our fees, etc.) seem to be very unfavorable towards childminders', 'Costs incurred mentioned in regulation 5 fees, regulations 9 training and regulation 18 insurance'. Many say that the added costs would make it not worthwhile. One comment highlighted that:

> Childminders are not able to take days off mid-week to attend training… so we would have to do training and not receive pay for it?

Stipulations under Regulation 5 (Registration) and Regulation 8 (to vary terms of registration) were also identified as having an impact on income with comments highlighting that if there were delays in getting registered, or if they had to wait '60 days' to vary the terms, it would impact on their income. And Regulation 8 was highlighted on its own, suggesting that if they could not function during the '60 days' notice required it would have a significant impact. One childminder commented that:

> I also take in foreign students for extra income so I can go on a holiday, they stay separate to the children I mind. I will lose that income if those students have to be garda vetted.

A number of comments asked about the situation for those who are currently registered and there were fears arising that they would not be able to mind children until the process was complete. One comment highlighted this noting:

We are already operating as a childminding service, are we expected to stop our service and start the application process and wait three months before re-starting our service? What happens to the children in our care at that time?

Queries were raised about whether the current tax free allowance of €15,000 would continue to be available and it was noted that this cannot be achieved if only childminding 3 school aged children.

Additional costs

Concerns about costs were also highlighted in the group consultations including the cost of meeting some of the regulatory requirements. A wide range of potential costs were identified including insurance/liability, 'endless list of requirements in the home, some of which will not be possible I imagine', 'additional costs to arise from Tusla inspections e.g. fire cert and room thermometers', 'safe sleep' requirements, having 'sufficient space', 'childminder specific training' 'first aid', 'time for admin/additional hours needed to comply', 'technology to implement paperwork' and insurance. It was also highlighted that childminders who only care for school-aged children (SAC) do not get paid for the summer and some support to address this should be considered.

Costs in relation to an emergency person were highlighted in the survey and comments included:

'Service will close if asked to have emergency back-up person; impossible to employ someone to sit [at] home all day for a situation that may never happen! Who in their right mind would even take the opportunity on ???' (Parent)

The NCS scheme

There were several references to the NCS across submissions and surveys, and it was identified as 'positive for parents', 'of economic benefit to parents', and that regulation will have 'a positive financial impact on parents as they will be able to 'receive NCS so help with costs' resulting in 'reduced fees' so that 'they may save money'. It was highlighted, however, that this should not be 'the drive needed' and that children should be to the forefront. One childminder wrote :

I feel that the NCS has become the issue of importance and not what is best for the child in a childminding environment and certainly not the welfare of the childminder.

Comments from one childminder suggested that the NCS was simply a mechanism for the Government to bring in regulation.

It was also highlighted, however, that 'childminders don't' benefit, that 'for us it will be extra work and in return we receive nothing', that 'this benefits everyone except the childminder' and 'parents get all the benefits but CMs need to do all the weekly paperwork'. One comment noted that tax relief, as suggested by Childminding Ireland, could be a better alternative option for childminders. Some who made submissions noted they already provided the NCS and one person indicated that one of the main reasons for remaining as a childminder after regulations is to offer the NCS. Other comments, however, suggest that some childminders won't take it up ('Regulations not worth the NCS payment', 'the NCS is not something I want to get involved in').

A number of challenges were identified in respect of the NCS scheme including, a significant level of administration, uncertainty and lack of clarity about how the scheme will operate, limited flexibility of the scheme and the potential for inspections by Pobal. Additional detail is provided in Appendix 3.

Implementability of proposed regulations

This theme refers to the ease with which the regulations can be implemented and one comment noted that:

> As a childminder for almost 18 years I want to say that a large proportion of the draft regulations will just not be workable for childminder.

While a range of areas were identified in respect of the Implementability of the DCR, increased administration was the most commonly mentioned. Other areas were noted to be not feasible while others would be difficult to implement because of the decrease in flexibility. These are now considered.

Administration

There was a substantial commentary throughout the overall submissions in terms of 'paperwork' (mentioned 54 times in submissions) and administration (mentioned 17 times in submissions) and concerns were raised about the inappropriateness of this for sole traders ('Childminders are sole traders and do not have a lot of time for paperwork') along with the time it will take and the difficulties there will be in meeting the requirements. A number of comments flagged the impact on their own family noting 'after working a long day to start paperwork every evening is a definite no' and 'this will mean sacrificing my own family time with my children to keep on top it.' One comment noted that:

> 'The low numbers of Tusla registered has lowered in the last few years. Because of the stress involved with all the paperwork involved, not only annually but weekly. Which leaves them very little time for themselves or their families.'

This issue was also raised at the NSF where it was noted that the administration requirements were identified as a 'turn off' and 'more hassle' for childminders who are 'lone workers' and consequently have to do everything out of hours. Examples identified in this regard related to the first aid box, time consuming 'administration of subsidies that are available' and having to notify Tusla of closures. It was noted that this administration as well as training requirements would lead to an 'out of hours workload' and questions were raised about how they could be accommodated. This issue was the subject of a particular focus in the group discussions and the survey and the findings are considered in more detail in the next section.

Concerns about administration were also identified in group discussions and it was suggested that it will 'become too much and will be a 'deterrent to registering', 'it's way over the top'. Other issues raised in group consultations include:

- 'concerns that their existing policies and procedures will need to be changed to adapt to the proposed new templates noting that templates 'must reflect the home' and should not be a 'cut and paste' from the Early Years services.'
- 'it is just a tick boxing activity.'
- 'parents don't like signing lots of forms.'

It was also suggested that childminders who have not been involved in the development of written policies and procedures prior to this find it very challenging with comments noting that the wording around the 'handbook may put people off', the thought of all the paperwork is 'overwhelming' 'it is very daunting, particularly around developing policies, effectiveness of them and the need for support to implement them.'

The amount of time taken to ensure compliance with administrative requirements was also highlighted at group consultations and it was reported that funding schemes raise additional issues and 'admin time' will have a financial impact if it is not funded. Commentary noted 'there isn't time for all the paperwork', 'will hours spent on this [administration] mean that childminders have to charge additional fees to parents to cover their longer working week?', '*Time – as I work on my own – doing things in the evening when I'm tired and need to prepare for the next day', 'Biggest fear among childminders is the admin work', 'childminders will need a lot of support for this', 'administration of NCS requires a lot of simplification… and there should not be the same expectation of administration' as ECCE. 'No time given to do admin for the DCEDIY funded programmes.' 'For those previously employed in services and who choose CM as more a quality based provision of care, the prospect of going back to endless paperwork is daunting.'

It was suggested that parents aren't looking for this level of paperwork and regulation and that 'too much paperwork will take childminders away from the children, that is not what childminders signed up for.' This was also noted by participants who took part in the NSF where it was identified as having a potential negative impact on children by decreasing the quality of care 'in the pedagogical space' due to the administrative workload which could result 'in less time focused on the childminding to get admin well done'.

Feasibility of implementation
The feasibility, particularly the timings required, in implementing some regulations raised concerns. Regulation 8 was particularly highlighted in this regard and the need to give 60 days notice of any proposed changes was considered to be 'not very feasible', 'impracticable', 'unworkable', and 'unreasonable and unrealistic'. Similarly, a requirement to have a person available for emergency cover was also highlighted. The term 'emergency cover' was identified 61 times in the overall submission and most of the commentary stated that what was being asked for was impossible to put in place and that if it was, it would have to be resourced. Comments included 'this regulation is one that might quite literally make childminding impossible for many', 'to do this they will have to employ someone to remain at home by their phone "just in case"'; and 'what if that person goes on holidays, or has an appointment, or works 1 day a week[?]'. One comment noted:

> It also means the emergency contact cannot leave their home or work if they need to be on call at all times. For many this would mean paying someone to act as their emergency contact paying them for possibly 50 hrs a week which would cost thousands a year.

A small number of comments also highlighted that the emergency person may not know the children and the childminder would not be comfortable sharing information with them about the children they are minding. Other areas highlighted related to the complaints process which was considered both irrelevant and unfeasible with one comment noting:

> How is a Complaints Procedure even relevant in a childminder's home? Where exactly does the Childminder escalate the complaint to? If there is an issue, it is between the childminder and the parents to resolve themselves.

Flexibility was identified as one of the characteristics of childminding and childminders gave examples of where they worked around parents schedules and of the need to continue to have the flexibility to do so, particularly for professionals who may work outside of the usual 9-5pm. Comments included 'with childminding, the age profile changes all the time as do the hours of service', 'Every week is different depending on what hours families need & we, as childminders, provide that flexibility.' One comment questioned:

> How will different types of child-minding arrangements be accommodated for example part-time, emergency support and shift work to ensure flexible options within the regulations?

Flexibility around ratios was highlighted as a key issue in group consultations and it was noted that there is a need to have 'flexibility to accommodate parents in urgent situations/occasionally' and 'on special occasions/events (birthday parties) as these impact on ratios'. It was noted that the flexibility that comes with childminding is an asset for both the children and the childminder.

Other commentary from group consultations highlighted that a lot of regulations were open-ended and undefined and that a spouse might need to step in at very short notice. Notice of illness or closure for 2 weeks was identified as 'impracticable' while the regulation on sleep may lead to excessive requirements.

Reduced autonomy

It was suggested that the introduction of the regulations will reduce the autonomy childminders have to determine who and how many they cared for, and what and how they operate. There is wide variation in the views expressed and some commentary suggested that some childminders do not believe there should be any regulation (e.g. 'if its not broken, don't fix it'). Commentary in this regard highlighted the role of parents with comments such as 'leave the parents of Ireland [to] make their own choice. Leave them [to] decide what is best for their own children', 'Parents of children have done their own homework on the childminder', 'once the childminder is capable of providing adequate care, that is all that matters'. One childminder wrote:

> Yes I do agree about having regard to safeguard the health, safety and welfare of the children and that the environment is safe and secure. However... by whose standards are "reasonable standards" measured? I will use my own.

Other commentary noted that 'if you are self-employed YOU should be the decider in what happens in the day to day running of your business'.

Some comments highlighted instances where it could be difficult for them to comply due to differences in their own, or parents beliefs and practices in how a child is cared for. Commentary in this regard particularly focused on areas relating to Regulation 11 (health, safety, welfare and development of the child) and to a lesser extent on Regulation 17 (food and drink). In respect of Regulation 11, particular concerns were identified around the potential for differences between the regulations and what was deemed appropriate by the childminder and/or parents. One childminder wrote:

Babies and toddlers develop at vastly different rates and childminders, not early childcare providers, can give a more individual style of care than a centre based provider. Yet there seems be a concerted effort to standardise and box tick the development of very young children and babies.

Another area highlighted in a number of comments referred to safe sleep requirements and commentary included 'Travel cots are the main place most kids nap', 'Checking and recording sleeps every 10 minutes is not realistic.' One comment identified this issue as follows:

Children can sleep on the sofa, in a bed, in a travel cot and even in a buggy where they have fallen asleep on a walk exactly the same as what happens in their home environment… How do we deal with a stringent requirement if it's something that normally happens in that child's home and it doesn't conform to a regulation requirement?

Other comments related to food (e.g. 'Will we have to have a set meal plan and confirm in writing to parents what was eaten?', 'Will parental choice regarding food, bottles and soothers be affected?).

The issue of autonomy arises particularly in respect of the maximum number of children and this was highlighted earlier in the report. Other areas where a reduction in the autonomy of the childminder was identified referred to the proposed complaints process and several comments highlighted that it was up to the 'the childminder and the parents to resolve themselves'.

Group discussions also highlighted this issue and concerns were identified in respect of 'Tusla requirements' and specific areas such as:

- 'Surprise visits' by Tusla.
- Sleeping arrangements, particularly needing a quiet room or cot rather than sleeping in a buggy which some children are more used to.
- Parents requesting one thing but being made to do something else by Tusla. One parent suggested there should be a form stating that parents have been informed of best practice but continue to want a different approach.
- Areas for notification to Tusla to vary the terms (e.g. if the time a childminder is working for changes will Tusla need to be notified?).
- Transparency of the registration process and guarantee that additional regulations will not be imposed.

Infringement on the family home

Reports from group discussions identified a high level of concern about the impact on the family home and this is clear in every strand of the consultation. Comments included 'the Government needs to realise it is our family home, that losing the 'home from home environment' is 'a huge concern for childminders', 'don't want to lose the ethos of their business and home, which is a home away from home service', 'the relaxed home-based nature of childminding [needs to be] respected and retained under the new regulations and inspection system', that the language used in regulation should be revised – premises should be changed to 'provider's home', 'home', 'family home where service [is provided]'.

Participants discussed how a childminding business is a home-from-home and it was felt strongly that this should not be lost with the implementation of Childminding Regulations.

Caution was urged about over regulation of childminders and the need for finding the balance between regulating and safety with concerns that 'the unique characteristics of childminding will be lost'. Commentary in submissions reflects that earlier and concerns were raised that the regulations were trying to make childminding a clone of centre-based services. Many commented that using the word premises to describe the location where childminding takes place exemplifies the issue with one comment highlighting 'the critical fact that it is a home-based service and that that is a major contributor to the essence of what childminding is'. These concerns are highlighted in the following commentary where one childminder wrote:

> I want my childminding service to continue as a setting that is homely, feels familiar and comforting to everyone, the children I care for and my own family. It is a home, mine and my families and not a setting or a premises and that is what childminding is about. Home from home where the children feel part of the family and not just an extension.

As highlighted earlier, the word "home" appeared as the most common word in the submissions received and concerns are evident in the number of synonyms also arising including "creche" (88 times), "centre" (48 times), "premises" (38 times) and "early years service" (identified 25 times in the overall submissions). Many comments drew attention to this issue (e.g. 'I am a Childminder. My home is my home not my premises', 'The home must be seen as what it is, a HOME, people live here before and after the minded children go home', 'Childminding is a home from home and that is what parents want for their children they do not want a "Setting"'). One childminder wrote:

> We, as childminders, welcome the children in our care & their families, into our homes on a daily basis & they treat our homes as their homes which is the way we want it to be. We are part of their families & they are very much a part of ours. It is NOT a premises & in defining it that way it undervalues both the place & the service we offer.

Other comments highlighted that 'Childminders do not run creches', the childcare experience they provide is that of a "home from home" this is not apparent in these "new" regulations. 'The words "family home" is only mentioned in the definition of what a childminder is, other than that the family home is continually referred to as "the premises", "the service" making it sound like a creche which it most definitely is not. This needs to be changed throughout the proposed document.

In addition to the overall commentary, specific examples, such as the use of a log book, Garda vetting for their own children and 'displaying paper work on the wall of a family home' were all identified problematic. One comment highlighted that visitors such as parents or 'in laws of the family themselves' understand the nature of childminding, 'become part of the household fabric', 'respect the boundaries of the children in the care of the child minder and many are 'known by the child/ren and often enjoy their company'.

Shift from being in the private to public space
The introduction of regulations will mean a shift from childminding in the privacy of the home to being subject to public scrutiny of both the home and the childminder through inspections (Regulation 25) and assessments of a 'suitable person' (Regulation 10).

Being judged
In submissions it was clear that while there may be a general acceptance of the need for inspection, concerns were raised about the potential for the individuals or their home being

disrespected by external assessors who may not be using an appropriate evaluation framework, may not be consistent in their inspections, do not have a childminding background and who may be seeking the application of standards more appropriate for a pre-school or creche.

Questions raised in this regard include: 'Will the inspector understand that the facility they are inspecting is a family home or will it be treated like a centre based service?', 'I feel this leaves it very open to inspectors looking for anything they want on inspection days'. The reports of group consultations show that there are 'huge fears about Tusla inspections', that they are a significant cause of concern to childminders and that 'Childminders, in general, are not looking forward to the introduction of Regulation and having someone enter their home'. It was suggested that this aspect of regulations 'will impact the number of childminders who will register and continue childminding'.

Childminders also shared concerns and worries in group consultations about the Tusla Inspection, what they would look like and the vagueness of information currently available. This was highlighted by a number of groups who were 'concerned that there was no concrete information available as to what the inspection process will look like, and what evident standards should be in place and whether inspectors would be 'going into every room in the home, e.g. bedrooms.' One group reported that they held a discussion around DCR in relation to 'old' Tusla regulations for childminders and queried whether childminders will be subject to inspections such as food hygiene inspections. In survey responses it was highlighted that inspectors/inspections need to be consistent in their inspections and it was suggested this would be helped by having a checklist. It was suggested that inspectors needed to come from a childminding background.

Many of the concerns highlighted the unannounced nature of inspections with comments such as 'inspections are welcome when they are planned, not when they are unplanned'. One childminder noted:

> Inspectors turning up unannounced at our doors when we have children in our care is ridiculous. We have no time to be showing a stranger around our home and who minds the children when we do this?

This was also noted in group consultations, that 'on-the spot inspections would be 'a huge contention' with childminders, that 'having unannounced visits from Tusla would be considered a huge challenge' and 'would lead to more anxiety around the inspection process'.

Concerns were also raised about the potential for an increase in the number of different inspections over time with one comment suggesting that it 'could amount to 5 different types of inspections (Tulsa, Pobal, Board of Education, Bord Bia & Health & Safety) and copious amounts of paperwork' and another that 'potentially the HSE' would come in to their home when they 'don't want to make [their] home public'.

Assessment of 'a suitable person'
Some commentary focused on Regulation 10 (assessment of suitability) and particularly on the Tusla assessment of a 'suitable person'. It was noted that this 'has been left wide open to interpretation' and queries were raised as to whether there was 'an objective set of criteria that a childminder must meet to be deemed suitable?', and 'what happens if the inspector just doesn't like you, if they deem you unsuitable, is there an appeals process?', and whether this was 'something all personnel in creches must go through??'.

> I have heard too many horror stories so I understand this is essential for the safety and wellbeing of the children which is my number one priority but like everything else you have gone overboard. I am no good at interviews that's why I mind children.

Another childminder who made a submission noted that the option to carry out an interview with a person to assess their suitability 'makes it feel as though there is no support or trust in good people' noting that 'it would be devastating to go through the registration process to be denied the right to set up your childminding business.

One respondent to the survey suggested that an assessment of whether the childminder is 'able-bodied, fit enough to mind children (aging/eyesight/osteoporosis, etc, could present challenges here)' providing something similar to a driving test and license renewal requirement.

Public register

The second area of particular concern in this regard relates to Regulation 6, the Public Register and this was identified as particularly problematic. This is evident in the high number of times the term "privacy" (63 times) was mentioned in submissions and almost all these references related to the publication of the details and addresses of the childminding services, the publishing of the reports on inspection of the childminding homes and the intrusion of inspectors assessing the home and the service. GDPR was mentioned by a number of people. Commentary suggests that childminders do not want their name and address available publicly noting 'There is a privacy issue with the register being made public', they work 'alone on our own in our homes, we can be seen as vulnerable', could be put at risk and challenges arise where there are 'cases of parental custody issues'. 'Having their name and address, as well as the age and number of children they mind, available to the public is a safety and security issue for both the children and childminders.'

A number of childminders queried whether they had to agree with this, and also whether they 'have the right to not have our reports posted online?' noting 'it's a total' and 'a complete invasion of childminders' privacy as childminders'.

Similar issues were raised in group consultations where it was reported that childminders are concerned that there will be too much publicly available information about them and that some felt this should not be available from a personal safety, child protection and custody situations perspective. One possible solution was to include only name and general area publicly.

Uncertainty about what the regulations mean

The final theme refers to uncertainty about what the regulations mean and how they will impact on childminders. Terminology relating to a lack of clarity were common throughout all the submissions and as noted earlier, that phrase "lack of clarity" was identified 167 times. Commentary referred to the regulations overall and to specific regulations as not being clear, to being 'grey', not knowing what it means, how to interpret a regulation, being uncertain and referring to specific regulations as being vague and subjective.

Almost all regulations were mentioned in respect of uncertainty. Commentary relating to Regulation 13 the home setting, for example, includes 'no clarity whatsoever' and 'no specific definition of what this will require' in respect of areas such as 'clean and well maintained', having 'adequate sanitary facilities', 'suitable sleep space' and 'safe and secure'.

Particular challenges were raised in respect of regulations where additional costs could be incurred (e.g. Regulation 4, 'the fee to register'; Regulation 9 where the cost of training mandated, particularly first aid training, differs considerably depending on what is required); Regulation 10 and Regulation 13 (where the home environment may have to be changed to meet the regulatory requirements); and Regulation 18 (cost of insurance). One comment noted:

> Regulation 4 − the reference to a "fee to register ", what is the fee structure?, who sets this fee?, what does this fee pay for? There is absolutely no information given here and the draft is just vague.

Other concerns about a lack of clarity related to the interpretation of areas such as 'the reporting of incidents' and a fear that if it is interpreted too broadly almost every small event would have to be reported. Many felt that would be impossible.

Group consultations also highlighted the uncertainty with comments such as: 'Disappointment that there 'is too much unknown', 'there is a fear of the unknown' and the available details are 'not black and white'. Other named areas mentioned in this regard included registration, type of training, 'Fit for Purpose inspections', pet section/safe sleep, opening and closing times, the vagueness of term 'child development'.

Concerns were also raised about the potential for more demanding regulations in the future and childminders feared that the 'goalposts will keep changing' as regulations continue over the years.

Challenges ranked most to least challenging

Respondents in the survey were provided with a list of four named challenges and asked to rank these from 1 (most challenging) to 4 (least challenging). The challenges identified as the most and least challenging by the highest numbers of respondents are presented in Figure 21.

Administration was ranked by the highest proportion (32%; n = 200) of respondents as the most challenging area and this was followed by 'reducing the number of children currently cared for' (27%; n = 169) and financial (27%; n = 169) which were joint second. Funding schemes were identified as the most challenging by the smallest proportion of respondents (14%; n = 88).

Figure 21: % of respondents who ranked each challenge as the 'most challenging' and 'least' challenging'
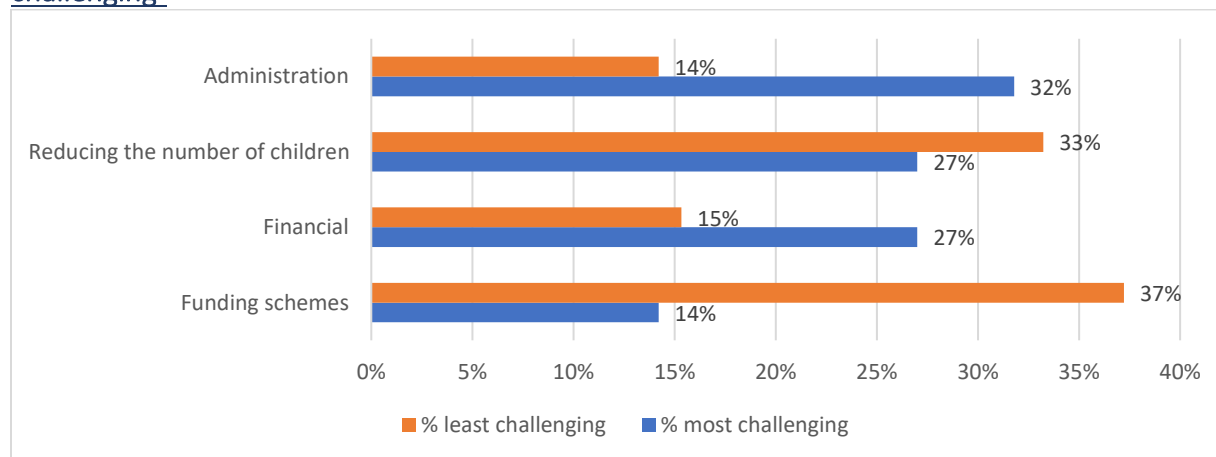

N = 626; RR: 94%

While more than one third of respondents ranked funding schemes as the least challenging and one third identified 'reducing the number of children as the least challenging, financial and funding schemes were identified as 'least challenging' by 14-15%.

These questions were also asked of participants in the group discussion and again, administration was ranked as the most challenging area by the highest number of participants (n = 74; 52%), followed by the administration of fund schemes (n = 43; 30%). The least challenging area identified by the highest number of participants (n = 66; 46%) was 'reducing current numbers' and only 10 participants (7%) ranked 'Administration' as the least challenging area.

Figure 22: Number of participants who ranked named challenges from most to least challenging
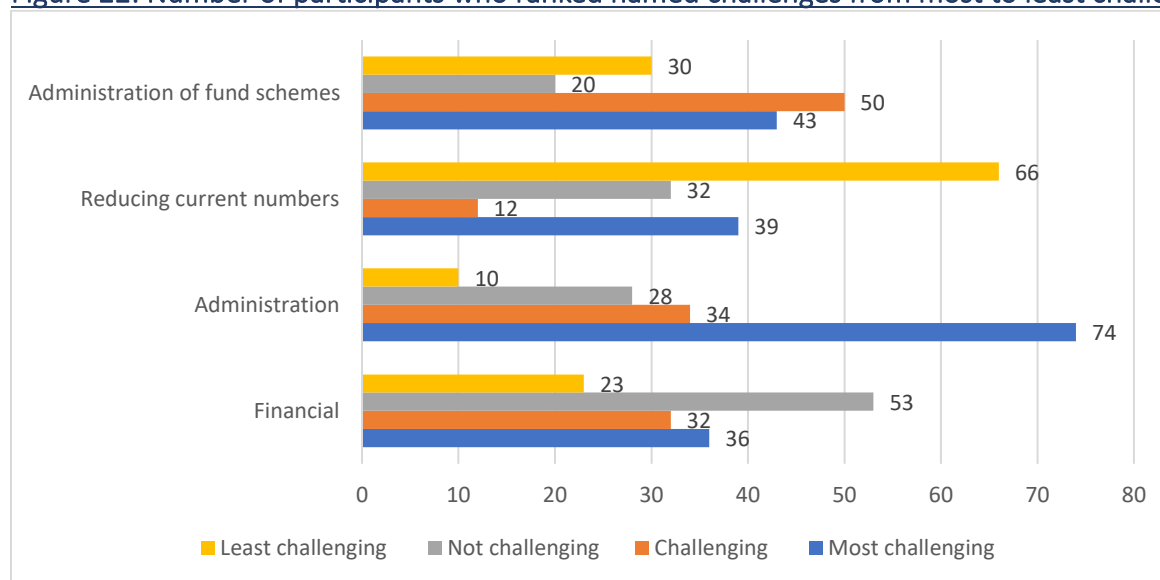

Administration of fund schemes: N = 143; Reducing current numbers: N: 149; Administration: N = 146; Financial: N = 144

Most challenging areas by stakeholder
It was possible to consider the most challenging areas by stakeholders in the survey and the findings show that while almost one third of childminders (31%; n = 75) identified 'Administration' as the most challenging area, only slightly lower proportions identified 'Reducing current numbers' (26%; n = 60) and 'Financial' (26%; n = 60) areas as the most challenging. Members of the public (35%; n = 11) and parents (28%; n= 87) identified 'Reducing current numbers' as the most challenging.

Figure 23: Areas identified as the 'most challenging' by percentage of stakeholders
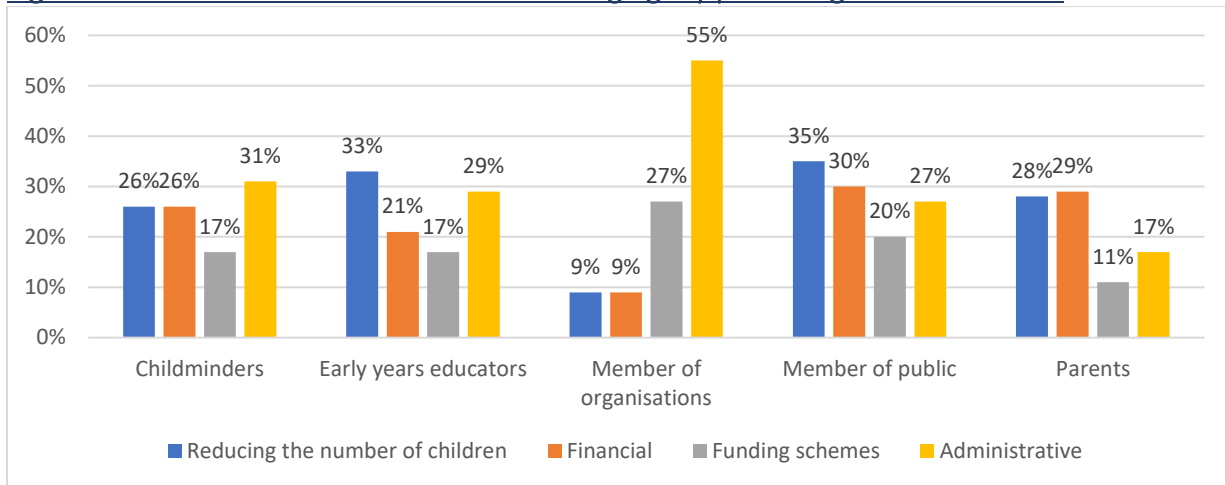
N = 626; RR: 94%; Childminder: n = 231; Early Years Educator: n = 42; Member of organisation: n = 11; Member of public: n = 30; Parent: n = 312

Summary

This section considered challenges for childminding arising from the implementation of regulation. These challenges take place in the context of the particular characteristics of childminding and consideration was given to these as well as differentiating childminding from other types of childcare. Six general areas of concern were identified through a thematic analysis of submissions and these were the financial viability of childminding, the implementability of the proposed regulations, the decrease in autonomy, infringement on the family home, a shift from a private to a public space and uncertainty about the regulations and their meaning. The perceived impact of these on childminders and childminding have been considered using information from each strand of the consultation and the regulations that are most closely linked with each theme identified. The section closes with the findings arising from a quantitative ranking of named challenges identified by respondents to the survey and participants in group consultations.

Section 6: General considerations

This section of the report considers general considerations identified in the consultation and while most refer specifically to the DCR and their implementation, there was some commentary in respect of overall childcare provision. Specifically, it stated by some respondents / participants that all forms of childcare should be more available, accessible and flexible and ensuring 'existing childcare facilities are expanded and properly funded before any new regulations are implemented' and provision is made for parents who work shifts, extended hours, changing rotas and who work out of hours. A more unified approach to all types of childcare supports and services was recommended by one individual.

The following focuses on general areas for consideration suggested by participants in respect of the DCR and their implementation. Findings are presented in respect of the general approach to be adopted, the role of Tusla including inspections, consideration and expansion of the role of key organisations, a consideration of fewer, or more, regulations, the usefulness of named supports, and supports across key areas including finance, training, administration and communication.

A general approach of support

It was highlighted across each strand of the consultation that it should be made 'as easy as possible for the childminders to comply' and comments highlighted a need to 'balance regulation', 'don't complicate the process' and it was noted that 'there should be a lot more support given to childminders for the service that it actually is'. Commentary from the NSF, for example, highlighted this and comments included 'support will be needed so not to overwhelm childminders', 'they will need a great deal of support', 'the development handbook will require much more hand holding', the supports must be 'clear so that no childminder is put off from registering'. Other comments from the NSF noted that the regulations required 'transparency and a lot of supports' while one comment suggested that 'supports must be put in place for childminders in the Gaeltacht or an Irish language based setting' as well as being able to list the languages the childminder can offer.

Commentary from group consultations and surveys also highlighted a need to 'provide support for childminders to register noting that 'when regulations are finalised they need to be sympathetic to the fact that childminders are working in their own homes and also that they will need plenty of time and support to adapt to the new regulations and registration requirements'. It was also suggested that 'there would have to be a significant benefit for childminders to be registered or for it to be mandatory' and it was suggested that 'a supportive eco-system, to create a supportive and development rather than a deficit approach' should be created. Comments noted that 'in order to sustain the childminding sector, this has to be a gentle process that is supported'. Many comments from parents in the survey drew attention to the need for support with one parent stating that:

> Every effort should be made to support childminders as they are the back bone of supporting parents to work. Childminders are like gold dust to find and it's not just anyone you would trust your babies with.

One parent noted that "It is a comfort to hear how much is being invested in this" (the DCR and the public consultations and childminders as a profession).

Consider the role of Tusla

Suggestions were made about the role of Tusla in registration and oversight of childminders and a potential alternative through CMI was suggested. These suggestions made by a number of participants and respondents noted that consideration should be given to:

o   Introducing a two-tier system where Tusla oversees creches and Childminding Ireland oversees childminding. One parent wrote 'Tusla..are not capable of the role suggested in these regulations'.
o   Governance and funding: It was suggested that 'any new regulations and policies that aim to ensure high quality childminding must be adequately funded. This includes ensuring that Tusla is properly funded to carry out its role in registering, regulating and inspecting Early Years and School Age Care services. Funding must be made available for monitoring and evaluation.'
o   Funding frontloaded: It was reported that 'with less than 1% of an estimated 13,000 childminders registered with Tusla there must be significant funding frontloaded for the first three years following the enactment of the regulations to ensure that Tusla has the resources to register childminders, and to enable childminders to avail of any assistance offered by relevant agencies and/or bodies.'

Tusla inspections

As highlighted inspections are a source of great anxiety and concern. Comments from the NSF highlighted that 'how registration and inspection is managed over the next 3 years is crucial'. It was suggested that:

- A participatory approach should be adopted at inspection with childminders as opposed to inspection practice used in early childhood/SAC settings. A childminding help desk would be useful to support the inspection process. The knowledge and experience background of the inspectorate should include having worked with childminders.
- 'Inspection visits should be much more focused on mentoring and support rather than focusing on "right and wrong" and "enforcement".
- Inspections should be planned and happen out of hours ('less disruptive if inspections could be prearranged or done outside of childminding hours').
- Be clear about what will be looked at and ensure inspections are consistent and provided by inspectors who are knowledgeable about childminding.

Continue and expand support through key organisations

It was strongly suggested that the current support provided through organisations, specifically the City/County Childcare Committees (CCCs) and Childminding Ireland should both continue and expand. In respect of the CCCs comments highlighted they 'are always there to support and help' and 'having CCC and CMDO support has made it easier on the ground', 'reduce[s] levels of concern and one comment noted 'Thanks for the phenomenal support received through the CCCs'. Many positive comments were also identified in respect of Childminding Ireland and it was noted that they were 'extremely friendly and helpful as an organisation and members trust them'. It was highlighted that CMI provide 'invaluable support regarding all things childminding' and 'very helpful information and support'. Being able to get insurance through CMI was highlighted as 'very helpful' and a great support although one group consultation report noted concerns about being 'forced to register' with CMI in order to get insurance. Another comment highlighted CMI are 'extremely friendly and helpful as an organisation and members

trust them'. The availability of this general type of support was highlighted and suggestions made are:

- The development of 'a support network', 'capacity building', 'mentoring' and supports to guide 'the childminder through every aspect of the process by one person'. One organisation noted that there should be 'childminding networks attached to early childhood settings in local areas to support a strong equal partnership working', which in turn, would 'support the development of quality practice and address challenges of isolation for childminders'.
- It was also suggested that support will be needed to ensure childminders develop 'bespoke' policies which reflect the uniqueness of their own setting, their values and positionality, keeping in mind principles of high quality. It was suggested that this can be supported by the CMDO/CCCs in their networks through training and/or in workshops among established childminder communities of practice. It was also highlighted that support or protection for childminders in the event of false complaints by unhappy or hostile parents is needed.
- Create a resource hub for childminding, where related resources are available to keep up-to-date. For example, how changes in the larger societal environments impact home child routines, such as the outreach of digital and media worlds and the use of digital technology in everyday life, which directly influence childminding practice.
- Help childminders to align with the EU Quality Framework for Early Years and School Age Care.
- Provide in-person training and education which, it was noted, 'has the added benefits of building communities of practice and support networks, enhancing professional identity, esteem building among childminders, as well as familiarising these providers with the local CCC, CMDO, and wider ELC system, of which they are increasingly a formal part.
- 'Ensure the availability of someone whom childminders can ask questions about Children First concerns or children with additional needs and how to best meet child's needs. A support person.'
- 'new legislation, departments and regulations set up specifically for childminding' in order to ensure access to Government funding and ensure a 'certain standard of care'.

Consider fewer, or more, regulations

There was good support and much commentary about reducing the number of regulations and a number of additional regulations were identified for inclusion by a small number of respondents/participants.

Examples of commentary about reducing the number of regulations include 'If a childminder has done a first aid course, [is] tax compliant and Garda vetted, is that not enough for Tusla[?]. A child will soon let their parents know if they are not happy in the childminder's home', 'We are all Garda vetted, first aid trained, insured and have completed the Children First safeguarding programme. After that, what else matters?', 'I think Garda vetting, E Learning child protection, first aid and a quality awareness course and suitable insurance and a safe and secure home where childminding takes place with a caring and suitable childminder should be enough. And be tax compliant if necessary'. Several comments suggested that a small number of regulations, similar to those required by Childminding Ireland, relating to Garda vetting, insurance, first aid training and safeguarding should be sufficient.

As noted, a small number of participants/ respondents identified additional areas for regulation as follows: .

o Consider the inclusion of regulations relating to outdoor space (comments include: 'include reference to outdoor space for children in the Regulations', 'digital safety (e.g. children shouldn't be using or have access to devices like phones (limited tv ok)', 'educational programmes' and 'pedagogy and development (e.g. 'there should be an additional focus on the pedagogy and development side').
o Extend regulations and requirements to others including childminders 'who mind children in the child's home', 'grandparents who mind relatives', and 'family care and nanny in home'.

The usefulness of named supports

Respondents to the questionnaire survey were asked to rank six options for support for childminders, and those ranked the most and least useful, are presented in Figure 24. Each support was ranked most useful by between 5% (n = 30) (peer support) and 30% (n = 180) (support in understanding the regulation) and each support was ranked as least useful by between 3% (n = 18) (support in understanding the regulation) and 64% (n = 384) (peer support). Commentary on challenges and supports at the group consultations mainly highlighted areas of concern and the identification of additional supports. Some groups reported that participants felt all the supports and challenges identified are identified and were reluctant to rank them.

Figure 24: Supports ranked most and least useful by overall percentage of respondents to the survey
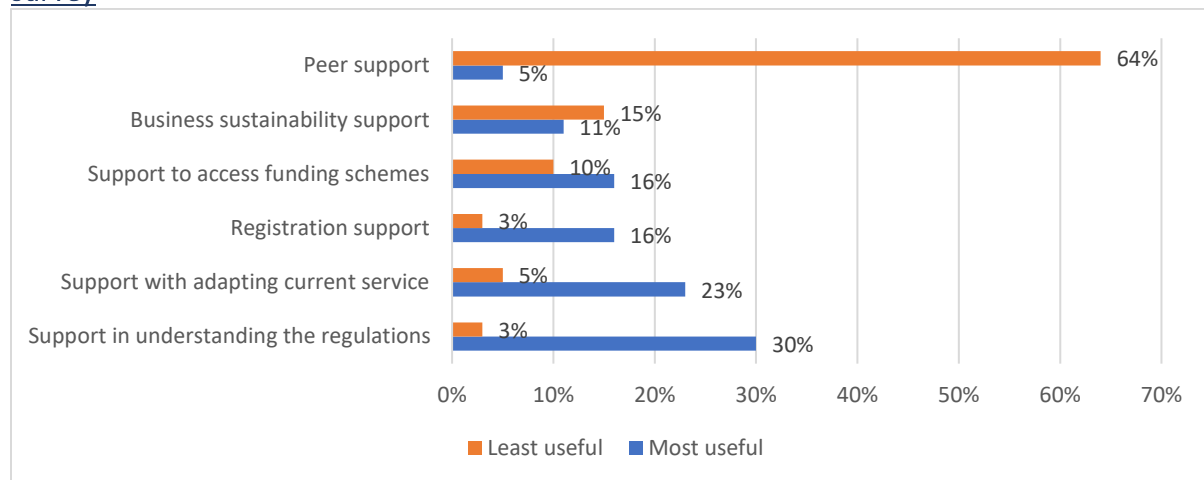
N = 600; RR: 90%

The areas identified by childminders as the most useful are 'understanding regulations', 'accessing funding schemes' and 'adapting the current service'. Only 5% of childminders identified peer support as the most useful and just over 10% identified business sustainability as most useful (Figure 25).

## Figure 25: % of respondents who identified supports as 'most useful'
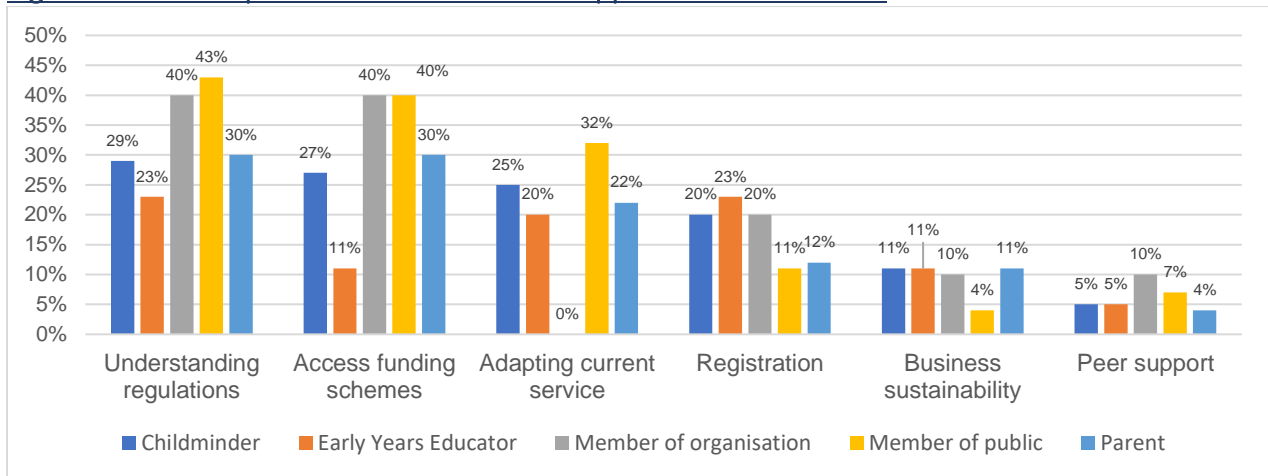
N = 600; Childminder: n =221; Early Years Educator: n = 44; Member of organisation: n = 10; Member of public: n = 28; Parent: n = 297

There was some consensus that 'peer support' was the least useful named support and between 57% (member of the public) and 80% (member of organisation) of respondents identified this. The next least useful named support was 'business sustainability' identified by between 9% (childminders) and 19% (parents).

Consideration was also given to this area at the group consultations and participants were asked to rank from 1-6 the usefulness of the same named supports as had been identified in the survey. The findings are presented in Figure 26.

Figure 26: Number of participants identifying the usefulness of supports
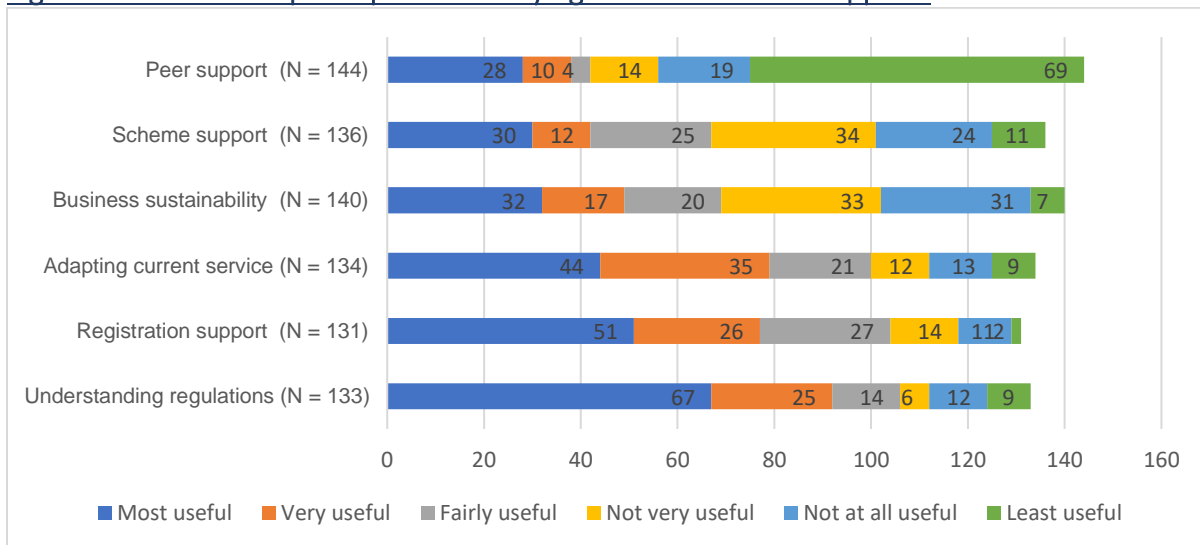
Between 131 (registration support) and 144 participants (peer support) ranked each support. The findings show that the highest number of participants (n = 67; 50%) identified support in understanding regulations as the most useful and this was followed by support for registration (n = 51; 39%) . Peer support was identified by the lowest number of participants (n = 28; 19%) as being the most useful and by the highest number (n = 69; 48%) the least useful support.

Financial support

Many areas were highlighted as potentially creating additional costs and calls were made for financial support to be provided to childminders. In this regard, reference was made to the Childminding Development Grant and an increase in the tax allowance for Childcare Services Relief fund. It was suggested that funding through these, and other schemes, needed to be continued and increased. One comment highlighted the importance of ensuring childminding is financially viable through 'tax system, ratios, ensure eligibility for core funding'. It was suggested that incentives should be given to childminders to register and it was queried whether 'there are funding/grants for work done in your home' and also cognisance of the potential to 'affects/restrict the sale value to your home' and additional 'capital gains tax'. Some disappointment was expressed about 'core funding not being included for childminders in 2024/25'. Attention was also called to the 'tax threshold of €15,000' which was described as 'very out dated and does not reflect the cost of living as a minimum'. It was suggested that 'once off events or supports for a limited period will not suffice. It is needed on an ongoing basis'. Specific areas highlighted:

- Financial supports and incentives 'ring-fenced' to childminding.
- Increase the tax threshold, make changes to the PRSI/contributions class which were considered too high, provide additional tax breaks to encourage registration, and make allowances for current 'cash in hand' services.
- Provide funding to comply with upcoming registration and schemes, e.g. once off funding.
- Childminding Development Grant: needs to be increased due to the higher cost of living.
- Incentives for parents who don't want to use current DCEDIY schemes − can consideration be given to a home based childcare subsidy scheme (parent tax credit suggested)?
- Funding needs to take account of the need to purchase equipment (e.g. double buggy, buggy board, travel cots, sleep mats, high chairs, small table and chairs and a variety of age appropriate toys and experience).
- Consider 'sick pay or emergency days off to be paid, holiday pay, bank holiday pay' for childminders.
- Reconsider the Core Funding Model which, although 'is a welcome support, the financial attached reporting process 'is way too much for a childminding service', 'many childminders do their own revenue returns without engaging an accountant' and a programme support payment to assist minders with non-contact expenses would be far more appropriate.
- A recognition that government support/funding currently provided for children when they are two years of age shortens the time they are with childminders and limits the building of a business.
- It was suggested that parents should be able to get government subsidy for all childminding services and that childcare costs should be deductable against tax. It was highlighted that regulation is likely to increase costs for childminders which will in turn increase costs for parents.
- Make childminding accessible and affordable for all families.
- The NCS should support equal participation for families experiencing disadvantage and be extended to registered childminders.
- The provision of the Access and Inclusion Model (AIM) in childminding settings should be provided for children with special needs and the scheme should be reviewed.

Support for training and education

It was suggested that 'childminders play an important role within early childhood care and education yet they face challenges of recognition, support, and professional development'. It was noted that the 'training should support childminders to reflect and consider their values, positioning, approach, and ethos, as well as their biases and presumptions, particularly as it relates to family support and child safeguarding'. Suggestions for training were given as follows:

- Provide clear guidance on what training is required.
- Create a clear and distinctive pathway to support childminders including qualifications, training with CPD, specialised training for childminders to the equivalent of a QQI Level 5 (Special Purpose Award) within a support network of childminders, led by a coordinator whose duty is to provide training, CPD and support to promote quality childminding. Support childminders to pursue further/higher education.
- Identify and implement a process for recognition of prior learning for childminders and ensure that if a childminder has level 5 or 6 they are not required to do extra training.
- Keep training to a minimum.
- Provide free, flexible childminder-specific training at times and using methods suitable for childminders and consider paid days to complete the childminding training and/or a payment incentive for doing it. Key considerations include learning that is always accessible with online video tutorials, an online community to support each other and the option of completing training in person, or hybrid mix, particularly where the individual is not comfortable with technology.
- Include refresher training on a regular basis, or if the childminder takes a break in their work.
- Ensure ongoing monitoring of training and certification.
- Consider the development of a "Learner Fund" to support childminders who would prefer to undertake certified training, in which they can build their qualifications over time.
- Carry out 'sensitisation competence training' of not only childminders, but childminding inspectors and inspections. This will help address the support required for an inherrently diverse capacity and capability of childminders and home settings.
- Ensure all training is specific for childminders.
- Consider the relevance of the current National Quality Framework for Early Years and School Age Care settings, Síolta, for childminding settings.

Limit administrative requirements and provide supports

Comments highlighted a need to reduce the amount of administrative work, noting that a 'lot of minders will feel intimidated and out of their depth with the admin aspect. I feel if this is being acknowledged and access to supports is stressed it will help'. Many people who childmind are not office staff and never would be. 'Don't over admin them please.' 'Reduce admin' and 'If there's an avalanche of administrative responsibility, these childminders will not enrol in the scheme.' It was also highlighted that 'if this is being acknowledged and access to supports is stressed it will help'. Suggestions include:

- Recognising the administrative workload will require additional support.
- Childminders should be encouraged to prioritise nurturing environments and activities over paperwork.
- Ensuring that registration of a childminder is 'easy and uncomplicated'.

- Review the current online reporting systems for regulated early years settings which it was suggested have 'proven burdensome' and in contrast with 'larger multi-site companies' who can maximise 'scale' to address administrative matters, 'single handed providers often attend to administrative matters outside of service opening hours'.
- Make administrative provision for those who are already registered with Tusla so that they are not treated in the same way as those who have never registered.
- Consider 'community based agencies' similar to those available in other jurisdictions 'to manage much of the administrative, financial, and central reporting responsibilities on behalf of home based providers'. One example proposed is the introduction of a pilot not-for-profit agency who would take on administrative and support roles for childminders.
- It was suggested that the childminder must move into a different mindset in terms of running a business. As well as providing a high-quality childminding setting, they will be required to register as a business and a self-employed person, 'keep policies/procedures, maintain/develop quality processes and documentation, attend CPD, apply for funding as a business and ensure they have the correct insurance in place. They are combining the functions of a manager and educator into one. These are multiple layers that require planning and know how.'

Communication about the introduction of regulations

It was highlighted that communication of information about the language and intent of the regulations or their implementation is needed and suggestions include:

- a national campaign to 'invite childminders rather than scare them' and messaging that focuses on the benefits of regulation to children and 'not just about NCS for parents' and which 'leans more towards quality and less towards subsidies'.
- It was also highlighted that a good campaign is necessary to ensure people know about the regulations and also to prevent 'a loss of childminders in the market and putting further pressure on a strained childcare market where creche places are low'.
- Provide a 'lot of road shows and information evenings' outlining the positives of registration and how it will impact them as childminders'. One comment suggested that 'I worry that most private childminders are completely unaware of these proposed regulations coming, it has not been circulated enough by the media'.

Summary

This section has presented general considerations about the DCR and their implementation. It was noted by participants in all strands of the consultation that the regulations and their implementation should be made as easy as possible for childminders. Specific areas for consideration the role of Tusla, particularly in inspection of childminders, and continued support and expansion of the roles of the City/County Childcare Committees and Childminding Ireland. Several comments identified the importance of continued and expanded support through the City/County Childcare Committees and Childminding Ireland with areas such as capacity building, mentoring, support networks, a resource hub, one to one mentoring and support all identified. One comment suggested a new Government Department should be set up with new legislation and regulations and focused specifically for childminding.

There were calls to reduce the number of regulations and to focus on, for example, Garda vetting, insurance, first aid training and safeguarding. A small number of comments suggested additional regulations specifically in areas such as outdoor space, digital safety and pedagogy and development, as well as an extension of the regulations to childminders who care for children in their own homes, grandparents and nannies.

Findings arising from both the group consultations and survey in respect of the usefulness of six named supports were presented. 'Understanding the regulations' was identified by the highest proportion as the most useful while peer-support was identified as least useful. Participants also identified a number of financial supports which would help in meeting a predicted reduction in income and potential increase. These supports included an increase in the Childminding Development Grant, higher levels of tax allowances, and subsidies identified among others. Support for training and education including the creation of a clear pathway to qualifications, flexibility in training, refresher courses and the development of a learner fund all identified. Attention was also drawn to the need for inspections to be supportive and it was suggested that a participatory approach, inspections focused on mentoring and support, and announced inspections where the focus is clear and the inspector is knowledgeable about childminding be implemented. Administrative support was identified as an important element and it was highlighted that administration to be limited, that systems should be easy and uncomplicated and that coordinated supports should be explored. Finally, it was highlighted that communication of information about the language and intent of the regulations or their implementation is needed.

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https://assets.gov.ie/26359/04ec2e05e5284b849ae0894e65d4ce8f.pdf
[ii] The Working Group on Reforms and Supports for the Childminding Sector (2018) Pathway to a quality support and assurance system for childminding Volume 2: Support Documents referenced by The Expert Working Group on reforms and supports for the childminding sector. Volume 2. Dublin, Department of Children and Youth Affairs. Access from:
https://assets.gov.ie/26359/04ec2e05e5284b849ae0894e65d4ce8f.pdf
[iii] Department of Children, Equality, Disability, Integration and Youth (2020) Draft Childminding Action Plan Report on the findings of the consultation process. Dublin, Department of Children, Equality, Disability, Integration and Youth.
[iv] Department of Children, Equality, Disability, Integration and Youth (2021) The National Action Plan for Childminding (2021-2028). Dublin, Department of Children, Equality, Disability, Integration and Youth.
[v] Childminding Ireland (2024) The need for childminding regulations. Access from: The Need for Childminding Regulations. https://www.earlychildhoodireland.ie/policy-in-action-20-february-2024/#:~:text=The%20Need%20for%20Childminding%20Regulations&text=The%20National%20Action%20Plan%20for,home%2C%20and%20they%20work%20alone
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