



**An Roinn Leanai  
agus Gnóthai Óige**  
Department of Children  
and Youth Affairs

Department of Children and Youth Affairs

**RULES FOR ECCE PROGRAMME**

Valid for the 2019/20 Programme Year

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## Introduction

*“Our vision is for Ireland to be one of the best small countries in the world in which to grow up and raise a family, and where the rights of all children and young people are respected, protected and fulfilled; where their voices are heard and where they are supported to realise their maximum potential now and in the future.”*

Katherine Zappone, Minister for Children and Youth Affairs

In the national policy framework for children and young people 2014-2020, *Better Outcomes Brighter Futures*, the Government committed to continue to increase investment in high-quality early years care and education for all children, prioritising families on low incomes. The Department of Children and Youth Affairs is in a period of significant policy development and change in the early years sector, working with our stakeholders to achieve our goal of high quality and accessible childcare for all. The Early Childhood Care and Education (ECCE) programme has been expanded to two full programme years as part of our commitment to raising the quality of early years care and education.

The Access and Inclusion Model (AIM) is a model of supports designed to ensure that children with disabilities can access the ECCE programme. AIM is a child-centred model, involving seven levels of progressive support, moving from the universal to the targeted, based on the needs of the child and the pre-school service. The model is designed to be responsive to the needs of each individual child in the context of their pre-school setting. It offers tailored, practical supports based on need and does not require a formal diagnosis of disability. For further information on the AIM programme see [www.aim.gov.ie](http://www.aim.gov.ie).

The new National Childcare Scheme (NCS) will be introduced in the final quarter of 2019 financial year. This scheme will replace the current targeted childcare programmes enabling some families to become eligible for subsidies for the first time.

**The universal free preschool programme (ECCE) is a standalone programme and will not be affected by the introduction of NCS.**

This document summarises the rules of the ECCE Programme. The first chapter emphasises the responsibility of the Department to ensure that all public monies are spent in a responsible and transparent way, reinforcing the message that it is the duty of those in receipt of public funding to strictly adhere to programme rules.

**Note: Information in this Guide is subject to change. Please check the PIP Homepage regularly for updates.**

## Chapter 1 Rules Common to all Childcare Programmes

In 2018, €416.5m of exchequer funds was spent on early years to provide affordable childcare to over 150,000 children in Ireland. It is the duty of the DCYA to ensure that all public monies are spent in a responsible and transparent way. It is the corresponding duty of those in receipt of public funding to strictly adhere to programme rules. There is commonality in the operational process and rules that are fundamental throughout all of the DCYA Childcare Funding Programmes. Namely:

- The Registered Provider shall be a limited company, a designated activity company, a sole trader, a school board of management, a not for profit organisation, or a partnership;
- The Registered Provider shall take all reasonable measures to safeguard the Health, Safety and Welfare of the children attending the service and to comply with the [Child Care Act 1991 \(Early Years Services\) Regulations 2016](#) and the [Child Care Regulations \(The Child Care Act 1991 \(Early Years Services\)\( Amendments\) Regulations 2016](#);
- Service providers must keep an accurate, real time record of each child's **actual attendance** to include daily arrival and departure times for each child. The services' registrations on PIP must match actual attendance (actual child attendance and not opening times of session/service) as recorded in the above attendance records, see appendix 2;
- All facilities/locations operated by a service must have an individual DCYA reference number and children must attend the facility/ location in which they are registered;
- It is an essential requirement that all public monies are appropriately accounted for and used for their intended purpose;
- All childcare programmes (excluding NCS) are processed online via the Programmes Implementation Platform (PIP). The PIP system is administered by Pobal, on behalf of the Department;
- The approved childcare funding is paid directly to the childcare service and must be deducted directly from the service's fee for the service provision;
- The service provider must display a PIP approved fees list that indicates the exact fees as well as the reduced fee of the service based on the relevant approved programme funding i.e. the full fee less the funding approved;
- The service provider must display a PIP approved Service Calendar for all relevant approved funding programmes to show parents/guardians the days and weeks they are closed during the programme year;
- Parents/guardians must sign a PIP Parent Declaration Form and a PIP approved Service Fees Information Letter to indicate that they understand the terms of the programme and that all child registration details are accurate; and
- A childcare provider must ensure all staff working with children hold, at a minimum, a qualification that meets the requirements of the Child Care Act 1991 (Early Years Services) Regulations 2016.

Any queries in relation to the DCYA Childcare Funding Programmes and the rules of the programmes should first be directed to the local City and County Childcare Committee (CCC). Please see the PIP Homepage on [www.pobal.ie](http://www.pobal.ie) or [www.myccc.ie](http://www.myccc.ie) for CCC contact details. CCCs are funded by the DCYA and act as local agents in the administration of aspects of national early education and childcare

programmes. The CCCs are the first port of call for both parents/guardians and childcare providers when trying to access information and support on DCYA Childcare Funding Programmes.

Service Providers can also contact PIP Support at [onlinesupport@pobal.ie](mailto:onlinesupport@pobal.ie) or 01-5117222 for assistance in administering the rules of the Programmes as well as any technical issues with their PIP Portal. The 'How to Guide' for each childcare programme is available on the PIP portal through [www.pobal.ie](http://www.pobal.ie).

## 1.0 Compliance

It is the responsibility of the Service Provider to ensure compliance with their contractual requirements, which includes adherence to this rules document. Service providers should ensure that they understand and adhere to the contents of this document, as well as with the ECCE Funding Agreement and 'How To' guides available on PIP. Failure to do so will result in non-compliance and will require corrective action.

In order to make compliance visits as efficient as possible for both providers and visit officers, service providers should ensure that their compliance file is kept up to date and contains:

- attendance records;
- enrolment details (including minimum enrolment exemption where relevant);
- PIP parental declaration forms;
- Parent letters;
- Fee records;
- Staff qualifications; and
- Higher capitation forms.

**The compliance file should be kept on site and available for inspection at all times.** Services should also ensure that:

- PIP registrations are correct,
- PIP Fees list and PIP calendar, for all approved funding programmes, are clearly displayed for parents and,
- There is a staff member on site at all times who has access to the compliance file and can facilitate the visit. Please note that if the records are readily available for review any interruption to the service will be minimal, other than seeking clarifications when required.

## 1.2 Force Majeure

The DCYA force majeure policy relates to contractual force majeure (not to be confused with employer force majeure) i.e. *where a service provider is hindered or prevented by circumstances not within its reasonable ability to control, including but not limited to, acts of God, inclement weather, flood, lightning, fire, trade disputes, strikes, lockouts, acts of terrorism, war, military operations, acts or omissions of third parties for whom the Affected Party is not responsible ("Force Majeure") from performing any of its obligations under this Agreement, the Affected Party shall be relieved of liability for failure to perform such obligations.*

Closures for exceptional circumstances outside of extreme weather events, fire, flooding or utility issues should be referred to the local City/County Childcare Committee as per usual practice.

### **1.2.1 Reporting of Force Majeure Incident**

Service Providers should contact Pobal to inform them of their intention to claim force majeure at the onset of the incident in question, giving a brief outline of the issue and their estimated number of days' closure.

### **1.2.2 Force Majeure Claim Process Deadline**

Service Providers should formally claim force majeure **on PIP** no later than three weeks after the incident first occurred, even if the incident is ongoing.



## Chapter 2 Early Childhood Care and Education (ECCE)

### 2.0 Overview of ECCE

The ECCE programme is a universal programme available to all children within the eligible age range. It provides children with their first formal experience of early learning prior to commencing primary school. The programme is provided for three hours per day, five days per week over 38 weeks<sup>1</sup> per year and the programme year runs from September to June. A child must have turned 2 years and 8 months on or before the 31<sup>st</sup> August in order to be eligible (and can't turn 5 years and 6 months during the programme year).

Childcare services taking part in the ECCE scheme must provide an appropriate pre-school educational programme which adheres to the principles of Síolta and Aistear, the national frameworks for early years care and education. Local City/County Childcare Committees (CCCs) staff are on hand to support participating services with assistive visits and advice. ECCE is only available through participating early years services; a list of these services is available through the relevant local CCC.

### 2.1 Eligibility for ECCE

The programme is available to all children from the September after they have turned 2 years and 8 months. Table 1 below sets out relevant eligibility dates by year of birth:

Birth date between	ECCE Start Date	ECCE end date
1 <sup>st</sup> January 2015 - 31 <sup>st</sup> December 2015	1 <sup>st</sup> September 2018 + 1 <sup>st</sup> September 2019	June 2020
1 <sup>st</sup> January 2016 - 31 <sup>st</sup> December 2016	1 <sup>st</sup> September 2019 + 1 <sup>st</sup> September 2020	June 2021
1 <sup>st</sup> January 2017 - 31 <sup>st</sup> December 2017	1 <sup>st</sup> September 2020 + 1 <sup>st</sup> September 2021	June 2022
1 <sup>st</sup> January 2018 - 31 <sup>st</sup> December 2018	1 <sup>st</sup> September 2021 + 1 <sup>st</sup> September 2022	June 2023
1 <sup>st</sup> January 2019 - 31 <sup>st</sup> December 2019	1 <sup>st</sup> September 2022 + 1 <sup>st</sup> September 2023	June 2024

### 2.2 ECCE Programme Rules

#### 2.2.1 Age of eligible child

A child must have turned 2 years and 8 months on or before 31<sup>st</sup> August 2019, and not be older than 5 years and 6 months on or before 30<sup>th</sup> June 2020, to be eligible for the 2019/20 programme year.

#### 2.2.2 Exceptions to upper age limit

**For the programme year 2019/20**, exceptions to the upper age limit **may** be granted where a child has special/additional needs. Applications for such exemptions must be submitted in writing to [eyqueries@dcya.gov.ie](mailto:eyqueries@dcya.gov.ie) and must include a letter of recommendation from a medical specialist (not

<sup>1</sup> A small number of services are permitted to run over 41 weeks as an exceptional matter. These existing arrangements will continue and are subject to all rules contained herein except that they can deliver the ECCE Programme for 4 days per week for 3.5 hours per day.

a GP/Public Health Nurse) stating that it is in the best interest of the child to avail of a further year of pre-school.

### **2.2.3 Required documents/information**

Parent(s) must provide child's full name as per birth certificate or passport, child's date of birth and child's PPSN in order to register their child on the programme.

**Documentation containing PPSN and any other personal information must be destroyed once no longer required.**

### **2.2.4 Booking deposit**

A childcare provider may charge a refundable booking deposit to hold an ECCE place for a child. The maximum deposit a provider may charge is equivalent to four weeks' ECCE payment. This must appear on the fees list. **The totality of the ECCE deposit must be returned to the parent/guardian once the child's registration is approved on PIP. If a service is holding a legacy deposit that exceeds four times the weekly ECCE capitation amount for a child that has been attending that service prior to their commencement on ECCE, and has not collected a separate ECCE deposit, then depending on the level of ECCE service, the service must return up to €258 of that deposit to the parent/guardian once the child's ECCE registration has been approved on PIP, regardless of when that deposit was collected.**

### **2.2.5 Tusla registration**

All childcare providers must register with Tusla and are subject to the Child Care Act 1991 (Early Years Services) (Registration of School Age Services) Regulations 2018 and the Childcare Act 1991 (Early Years Services) (Amendment) Regulations 2016.

### **2.2.6 Adult to child ratio**

The adult to child ratio for ECCE rooms is 1:11 (all children in the room must be aged between 2.5 and 6 years).

### **2.2.7 Notice when moving a child to another service**

If a parent/guardian wishes to move their child to another childcare provider, they must provide four ECCE weeks' written notice of this to the current childcare provider. Parents/guardians should note that, where a service is closed due to holidays, this time is not counted as part of the four weeks' notice.

### **2.2.8 Notice when moving a child to an alternative ECCE timeslot**

If a service provider wishes to move a child to a different ECCE timeslot, e.g. from the morning to the afternoon, they may only do so with the parents' permission.

### **2.2.9 Provision of ECCE programme**

A childcare provider is required to provide three hours per day, five days per week for 38 weeks per programme year.<sup>2</sup>

### **2.2.10 ECCE Rate**

The standard weekly ECCE capitation is €69.00 for the 2019/2020 programme year. Where a child is attending a part-time or full time service the childcare provider must reduce the fees paid by the parent/guardian by €64.50 (or €12.90 per day) which was the standard capitation rate in 2017 before the 7% increase was introduced in the 2018 budget to support quality in childcare.

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<sup>2</sup> With the historical exception of so-called "41 week" services which are permitted to run for 41 weeks at 3.5 hours per day, 4 days per week

### **2.2.11 Provision of ECCE Programme by more than one Service Provider (Split Place)**

For continuity of the care, education and socialisation needs of the child, the DCYA strongly recommends that children attend only one service wherever possible. However, a child's ECCE place can be split between two services in the following exceptional cases:

- Where there is a joint custody arrangement and, because of this, it is not possible for the child to attend the same service every day;
- Where a child has an additional need and it has been recommended by the specialist pre-school that the ECCE place be split between a specialist and mainstream pre-school on the grounds that this is in the interest of the child; and
- Where the working arrangements of the parent/s necessitates a split placement.

Requests for split place exemptions should be submitted in writing to the Early Years Operations Unit of the DCYA at [eyqueries@dcya.gov.ie](mailto:eyqueries@dcya.gov.ie).

### **2.2.12 Minimum enrolment**

(i) A childcare provider must have a minimum enrolment number of eight ECCE-eligible children per session

(ii) Exceptions to the minimum enrolment number may be granted in some circumstances. Applications must be submitted through the City/County Childcare Committee.

### **2.2.13 Change of circumstances**

- i. In the case of a transfer of ownership of a service), the service must contact their City/County Childcare Committee with all relevant details in order to request a new DCYA reference number.
- ii. In the case of a change of legal status of a service, the service must contact their City/County Childcare Committee with all relevant details in order to request a new DCYA reference number.
- iii. In the case of a change of address of a service, the service must contact their City/County Childcare Committee with all relevant details in order to request a new DCYA reference number.
- iv. In the case of expansion of a childcare service to additional premises, the service must contact their City/County Childcare Committee with all relevant details in order to request a new DCYA reference. Please note that the children in attendance at the new/additional premises must be registered under the new DCYA reference number.

### **2.2.14 Service closure**

If a childcare provider closes its service, or ceases to provide a DCYA childcare programme, notice must be submitted in writing immediately to the local City/County Childcare Committee and to [pipdocuments@pobal.ie](mailto:pipdocuments@pobal.ie). Service closure and change of circumstances require the service to end date registrations for all current registrations at closure date.

## **2.3 Child Registration and Attendance Record Keeping**

### **2.3.1 When to register a child**

Childcare providers can begin to register a child up to seven calendar days in advance of the childcare funding start date.

### **2.3.2 Latest date for registration**

The latest a childcare provider can register a child is eight weeks after the child's start date.

### **2.3.3 Late registrations**

- (i) DCYA reserves the right to decline or not back-date funding on any “late registrations” (i.e. more than eight weeks after child’s start date).
- (ii) DCYA reserves the right to review the ECCE funding agreement of services who consistently submit “late registrations”.

### **2.3.4 Child non-attendance from start date**

If a child does not attend within four weeks of the start date, the registration must be cancelled immediately and any payment received for that child will be recovered.

### **2.3.5 Reduction in attendance/PIP Updating**

Where attendance differs from registration in a consistent pattern over a four week period, registrations must be updated to reflect the actual pattern of attendance. An update on PIP must occur immediately after the four weeks of the reduced attendance pattern commencing. Failure to update registrations to reflect the actual attendance pattern will result in an over-claim due to the Department. Over-claims will be recouped in accordance with the terms of the ECCE funding agreement.

### **2.3.6 Absenteeism**

The service provider must contact the parent/guardian to establish the cause of the child’s absence within the first week of the absence commencing. If a child leaves the service or has not attended for four consecutive weeks, the service must create a Leaver form via the PIP Portal stating the date the child last attended the service. In exceptional circumstances e.g. serious illness, the service may apply to their local CCC to retain the registration beyond four weeks up to a maximum of six weeks. Services cannot claim for any time period in excess of the four/six week period from the last date of the child’s attendance.

A service may apply to Pobal in certain very exceptional circumstances to retain the registration beyond six weeks, for up to twelve weeks. Pobal may seek supporting proof of exceptional circumstances. Acceptable proofs may include a letter or medical certificate which can be uploaded onto PIP by the provider (as provided by, and with the agreement of, the parent/guardian). A parent may also submit the proof directly to Pobal if they prefer. Where a letter is submitted and the scheme administrator decides that exceptional circumstances do not apply, the provider must end date the registration and payment will cease with effect from the end date (which can be no later than the end of the four weeks of continuous absence).

Where no letter is submitted by the end of the six weeks of continuous absence and the child has not returned to the service within that time, the provider must end date the registration and payment will cease with effect from the end date (i.e. from the end of the four weeks of continuous absence).

Where a letter is submitted no later than 6 weeks from the original absence but later than 4 weeks (and consequentially the registration has been end-dated), the registration may be restored from the end-dating of the registration.

### **2.3.7 Attendance records**

Service Providers must keep daily attendance records (for each ECCE session/room) for each child attending and records must include the child’s full name, date of attendance, time of child’s arrival and time of child’s departure. The arrival and departure of each child must be recorded in real time

by the Service Provider. Attendance records must be kept in an appropriate manner that is sufficient to establish actual duration of attendance of each named child for each ECCE session/room in terms of hours. The child's name must be recorded in a consistent manner in order to facilitate identification of patterns of attendance (i.e. if the attendance records are weekly sheets, the child's name should be in the same place each week). Weekly/monthly attendance records are preferable as they facilitate establishing patterns of attendance. Attendance records will be reviewed as a priority during compliance visits. Please see the minimum requirements as set out in the 'good practice on attendance records' guide at Appendix 2.

#### **2.3.8 Failure to maintain appropriate attendance records**

Failure to maintain attendance records (as per 2.3.7) may result in an assumption of zero hours attendance. The Department may withdraw future payments from the provider and/or require repayment of over-claimed monies already paid for the period concerned.

#### **2.3.9 Compliance Visits**

- i. Services must facilitate compliance visits which will be made without notice, to include access to the premises, personnel and relevant records.
- ii. All documentation related to the financial affairs of the service, accounts, fees records, staff qualifications, PIP, fees lists, registers and attendance records must be on-site at all times. These records must be kept for a minimum period of seven years from the expiry date of ECCE 2019/20 Funding Agreement.
- iii. Compliance visit officers may inspect, and take copies of, any books, records or other documents (including books, records or documents stored in non-legible form) or extracts therefrom, that they find in the course of their inspection.

### **2.4 Fees List and Service Calendar**

#### **2.4.1 Fees List and Service Calendar requirement**

Service Providers must complete a fees list and service calendar at the beginning of each programme year. They must show details of all the fees charged to parents, as well as details of any additional charges, optional extras, discounts or donations applied by the service.

#### **2.4.2 Minimum opening requirement**

Service providers are required to open for a minimum number of weeks per ECCE term, details of which can be found in the ECCE 'How to Guide' available on the PIP Portal.

#### **2.4.3 Document display requirement**

A copy of the fees list, together with copies of any standard letters issued to parents, must be on prominent display in an area accessible to parents.

#### **2.4.4 Document filing requirement**

Services must have a signed letter on file in respect of each parent/guardian of a child on the ECCE programme, showing the fees that have been approved. These fees must match those shown on the Fees List.

#### 2.4.5 Fee changes

Four weeks' notice of any change to the fees list must be given to parents. Where the fees list has been revised, amended fees list letters must then issue and be signed by the parents/guardians for the service's files.

#### 2.4.6 ECCE Service Calendar

An ECCE service calendar must be distributed to all parents/guardians showing the days the service is due to be open/closed under the ECCE programme year.

#### 2.4.7 Requirement to provide ECCE free of charge

ECCE must be provided free of charge to parents/guardians in return for the capitation.

#### 2.4.8 Optional Extras

Childcare providers cannot charge for any activities/items which form part of the ECCE service. Childcare providers may charge for optional extras, but where a parent/guardian does not choose any of the optional extras, their child must be provided with the full ECCE service provision. Each optional extra must be identified individually on the fees list. **Services cannot prioritise ECCE places on the basis of uptake of optional extras.**

#### 2.4.9 Additional 30 minutes in sessional service

A sessional service provider may offer an additional 30 minutes per day but this must be categorised as an optional extra.

#### 2.4.10 Additional time in full-time or part-time service

A full or part-time provider may choose to prioritise a free pre-school place for a child who will be availing of a full- or part-time place over a child who wishes only to avail of the free pre-school element.

#### 2.4.11 Displacing registered children

At the point of programme registration, a service provider may prioritise registrations for those availing of a five day week of ECCE over those registering for fewer days. A service provider may not displace a child availing of a shorter week in favour of a child applying for five days of ECCE after their ECCE registration is complete.

### 2.5 Staff Qualifications/Higher Capitation

A childcare provider must ensure all staff working with children hold, at a minimum, a qualification that meets the requirements of the Child Care Act 1991 (Early Years Services) Regulations 2016.

#### 2.5.1 Minimum qualifications for ECCE

Room Leaders must, at a minimum, hold a qualification that meets the ECCE funding agreement requirements for ECCE Room Leader as set out on the published list of DCYA 'Early Years Recognised Qualifications' or, hold a Letter of Eligibility to Practice at this level issued by the DCYA (see more information relating to qualifications, including the published list on [www.dcy.gov.ie](http://www.dcy.gov.ie)).

#### 2.5.2 Higher capitation

Higher Capitation is part of the ECCE programme, and is based on ECCE registrations. All rules for ECCE also apply to Higher Capitation and the Higher Capitation rules do not supersede the core ECCE rules. The ECCE higher capitation rate is equivalent to an additional €11.25 per child per week above the €69.00 standard rate. Higher Capitation may be paid in respect of any ECCE room that meets the qualifying criteria (see 2.5.4 for qualifying criteria). It is possible for services with multiple ECCE sessions to be granted higher capitation for qualifying sessions and standard capitation for other ECCE sessions.

### 2.5.3 Full Time Equivalent (FTE) Higher Capitation

Higher Capitation is paid in respect of the number of Full-Time Equivalent (FTE) children registered to the ECCE programme in the qualifying ECCE session. Children on CETS, and CCSP (and fee paying children) who attend the higher capitation session cannot be included in the FTE calculation, but must be included in the adult to child ratios. The adult:child ratios for the ECCE programme must be strictly adhered to (see table below).

1 -11 Children per Session	At least 1 Higher Capitation eligible pre-school Leader in the Room at all times
12 -22 Children per Session	At least 1 Higher Capitation eligible pre-school Leader and 1 Higher Capitation eligible pre-school Room Assistant in the Room at all times
23 -33 Children per Session	At least 2 Higher Capitation eligible pre-school Leader and 1 Higher Capitation eligible pre-school Room Assistant in the Room at all times
34 -44 Children per Session	At least 2 Higher Capitation eligible pre-school Leader and 2 Higher Capitation eligible pre-school Room Assistant in the Room at all times and so on....

### 2.5.4 Higher capitation eligibility

A childcare provider that has an ECCE session that meets the following requirements is eligible to apply for ECCE Higher Capitation payments for that session:

- i. a Room Leader with a qualification recognised as meeting the minimum requirements for ECCE “Higher Cap” as set out on the published list of ‘DCYA Early Years Recognised Qualifications’ or otherwise be deemed eligible by the DCYA as evidenced by a Letter of Eligibility to Practice for ECCE Higher Capitation room leader;
- ii. the same Room Leader has a minimum of three years’ paid experience working in the childcare sector;
- iii. the regulatory adult to child ratio is met;
- iv. a Room Assistant (if required for adult to child ratios), who holds a full and relevant qualification that meets the minimum regulatory standard as set out on the published list of ‘DCYA Early Years Recognised Qualifications’ or otherwise be deemed eligible by the DCYA as evidenced by a Letter of Eligibility to Practice.

In relation to (iv), it should be noted that a Room Assistant who is working in the service through provision of a ‘grandfathering declaration’ is not eligible for Higher Capitation. Higher Capitation will not be paid where the room assistant is working on the basis of a ‘grandfathering declaration’, regardless of the qualification level of the room leader.

### 2.5.5 Higher capitation rate and fees

Where a child is attending a part-time or full-time service that is in receipt of the higher capitation rate, the childcare provider must reduce the fees paid by the parent/guardian by €64.50 (which was the standard capitation rate before the 7% increase in the standard capitation rate intended for the benefit of the service provider in the 2018 budget).

### 2.5.6 Higher Capitation Room Leader – three years’ work experience

As stated in 2.5.4 (ii), to be eligible for higher capitation, a room leader must have an appropriate qualification and three years’ paid experience working in the childcare sector. To clarify, this means:



- i. The year, in three years' experience, refers to, at least, a full academic year or nine months of work within each calendar year (full or part-time).
- ii. The experience can be gained through a range of work activities but must involve work with pre-school or primary school aged children.
- iii. The three years' experience is cumulative, and so can be gained at any time; it does not have to be gained after the higher capitation eligible award is achieved. The work experience can be achieved in a setting outside of Ireland.
- iv. Practice placements undertaken during education and training cannot be counted as part of the three years' experience.

### **2.5.7 Applying for Higher Capitation**

Higher capitation must be applied for by the service provider. Higher capitation does not roll over from one programme year to the next, and every service must apply for higher capitation for each programme year, within each programme year. Applications cannot be accepted after the programme year has ended (dates of which are set out in the ECCE funding agreement). ECCE Higher Capitation is administered by Pobal. For the 2019-2020 programme year, all service providers must apply to Pobal for ECCE Higher Capitation. Instructions on how to apply will be available on PIP.

### **2.5.8 Higher Capitation amendments**

Service providers must supply accurate information and keep their ECCE Higher Capitation status up to date during the programme year. The information submitted in the higher capitation application form must reflect the actual arrangement and running of the ECCE room, in terms of child to adult ratios, the Room Leader or Room Leader / Room Assistant team working in the room, and the total numbers of ECCE and non-ECCE children in each room. Pobal must be notified of any changes to staffing and numbers of ECCE children in a room. Details on how to maintain an up to date Higher Capitation status are available through the PIP portal.

### **2.5.9 Qualifications and Higher Capitation**

As stated in 2.5.4 a staff member who is eligible for Room Leader at the higher capitation rate should have a qualification which is on the published list of 'DCYA Early Years Recognised Qualifications' or a letter of eligibility to practice from DCYA. This is evidenced by a copy of the graduating certificate or a copy of the letter of eligibility to practice.

The higher capitation application form should not be submitted unless the service is clear that a staff member is eligible. Any queries around staff qualifications should be addressed through the Qualifications Assessment process offered by DCYA by the holder of that qualification. DCYA will not accept an application for Qualifications Assessment from anyone other than the holder of the qualification. See the Qualifications page under Childcare on [www.dcy.gov.ie](http://www.dcy.gov.ie) for more information.

### **2.5.10 Higher Capitation Compliance**

For compliance purposes, any documentation relevant to higher capitation for the programme year should be available for inspection. This includes staff qualifications, a copy of the service's higher capitation application form, any amendment forms submitted during the programme year, and any correspondence from Pobal confirming higher capitation and/or an adjustment to higher capitation. If the service provider has any unusual circumstances in the organisation of their setting which would impact their compliance with higher capitation, they should inform Pobal of this at the time of application.

### **2.5.11 Staff Absenteeism**

If a service provider experiences irregular patterns of non-attendance or short-term absences by the higher capitation room staff, for reasonable causes (e.g. annual leave, sick leave, bereavement, force



majeure), this will not necessarily lead to the service being found non-compliant with contractual conditions. The service provider must keep records of such absences and the reason for non-attendance, for compliance purposes. However, where a higher capitation room staff member will be absent for a period of more than four weeks, for whatever reason, the service provider must notify Pobal. The same conditions apply in cases of prolonged absence as apply in cases of a staff member leaving (see FAQ below).

## 2.6 Financial Requirements

The service provider will maintain up-to-date child registration information on PIP.

The service provider shall maintain appropriate records to enable verification by the Department or agents acting on its behalf (including Pobal) that the general terms of the ECCE Funding Agreement are complied with. In particular, such records **will include an attendance register which clearly shows the dates, times and durations of attendance for each individually identified child for every day that the child is in attendance.** Records of income and expenditure should be kept up to date and available for verification purposes.

Failure by the service provider to maintain accurate attendance records and/or accurate updated child registration details, as required in clause 7.2 of the ECCE Funding Agreement 2019/2020 will result in an immediate suspension of ECCE funding and/or a requirement to repay over-claimed monies already paid and may result in a termination of the ECCE Funding Agreement.

The service provider shall maintain appropriate annual accounts for each financial year in accordance with the timescales set out by the Companies Registration Office (for limited companies) or by the Revenue Commissioners (for unincorporated entities). Copies of such accounts must be provided to Pobal on request.

The service provider shall separately account for public funds received and ensure that appropriate financial records are maintained.

The approved provider shall respect and comply with the statutory role and regulatory and public accountability responsibilities of the Department, its agents and other relevant statutory bodies and at all times co-operate fully with the Department, its agents and all other statutory bodies in this regard.

## 2.7 FAQs for ECCE Programme

### 2.7.1 Can a child transfer from one service to another?

Yes. A parent/guardian must give the childcare provider four ECCE weeks' written notice of their intention to transfer their child to another service or to leave the current service. (Please note ECCE weeks do not include weeks a service is closed for holidays).

### 2.7.2 What is a pattern of attendance?

Service providers are required to ensure that PIP registrations match actual attendance patterns. A service provider must monitor attendance over a four week period to ascertain that the registration for each child is correct based on actual attendance. Where a child consistently, over a four week period, fails to attend for an identified level of service as agreed (for example – attending four days instead of five), then the service provider must update the PIP registration to reflect this.

### **2.7.3 Can a parent/guardian increase or decrease the number of days they wish their child to avail of?**

Yes, if the childcare provider can cater for the request.

### **2.7.4 If a child has been absent without notice from the ECCE programme for four weeks, can a childcare provider claim a further four weeks' payment period when submitting the leaver form?**

No. The ECCE leaver form must be completed up to a maximum of four weeks from the last week the child has attended.

### **2.7.5 Can a child-minder apply to enter into the ECCE funding agreement?**

Yes. A child-minder must have five ECCE eligible children in order to provide the ECCE programme and must be registered with Tusla.

### **2.7.6 How do I apply for Higher Capitation?**

ECCE Higher Capitation applications are facilitated by Pobal. All applications should be made through the PIP portal and all queries regarding ECCE Higher Capitation should be addressed to Pobal. An ECCE Higher Capitation 'How To' guide will be available on the Pobal website. Service providers should note that:

- If the service provider was not in receipt of higher capitation before, they should include copies of all staff qualifications with their application.
- If the service provider **was** in receipt of higher capitation for the 2018/2019 programme year, evidence of qualifications should be submitted for new staff members only.
- Pobal will require information only in respect of the ECCE rooms for which Higher Capitation is being applied. Service Providers do not have to provide information about standard capitation ECCE rooms or staff working in standard capitation ECCE rooms.

### **2.7.7 What should a provider in receipt of higher capitation do if their Level 7 room leader resigns?**

If a staff member resigns, the service provider must amend their ECCE Higher Capitation form on PIP. This must indicate the leaving date of the staff member and the commencement date of the replacement staff member. If the replacement staff member is not eligible for Higher Capitation, the service will revert to Standard Capitation after four weeks. Non-compliance will result from:

- Failure to notify Pobal of a change in Higher Capitation room staff; and/or
- Failure to record correct leaving/starting dates of staff when amending the Higher Capitation form.

### **2.7.8 Do I have to submit evidence of the ECCE Higher Capitation Room Leader's work experience?**

The three years' experience should be established by the service provider through their usual recruitment process (C.V., references, etc.). On the ECCE Higher Capitation application form, the service provider should indicate the total amount of work experience in years. In doing this, the service provider is undertaking that they have satisfied themselves as to the legitimacy of the work experience. Evidence of the Room Leader's work experience will not form part of the general compliance inspection but may be requested by DCYA if required.

**2.7.9 I have a room leader who is eligible for higher capitation who does not work every day. Can I receive higher capitation for the days this staff member works?**

No. Higher capitation payments cannot be broken up in this manner. Approved staff should be working in the higher capitation room every day under regular circumstances.

**2.7.10 What should a provider in receipt of higher capitation do if their Level 7 room leader is out sick or on annual leave?**

Irregular patterns of non-attendance or short-term absences by the Higher Capitation room staff are allowable for reasonable causes (such as annual leave, sick leave, bereavement, force majeure). The service provider should keep records of such absences and the reason for non-attendance, for compliance purposes.

**2.7.11 Prolonged Staff Absenteeism**

Where a higher capitation room staff member will be absent for a period of more than four weeks, for whatever reason, the service must notify Pobal through their PIP portal. The same conditions apply in cases of prolonged absence as apply in cases of a staff member leaving.

**2.7.12 What happens to the higher capitation Full Time Equivalent (FTE) figure if a child leaves a service?**

Registering a child as a “leaver” on PIP does not automatically update the higher capitation FTE figure. The Higher Capitation form must also be changed. See the Pobal ECCE Higher Capitation ‘How To’ guide.

**2.7.13 Can I have one Level 7 room leader for two inter-connecting ECCE rooms?**

No. Higher capitation payments can be applied for on the basis of each ECCE room within your service. In this case, you would need to have a Level 7 room leader in each room to qualify for higher capitation.

**2.7.14 What if I want to expand my service and open another room?**

If the new room is located in the same facility you should ensure relevant notification/registration is sent to Tusla and details of the proposed expansion are sent to your local CCC.

If the new room is at another location this is considered a new facility and will require a separate ECCE funding agreement. Provision of a ECCE funding agreement is dependent on the new facility being appropriately registered with Tusla. You should contact your local CCC and apply for a new DCYA reference.

**2.7.15 When are payments made?**

Payment schedules, for Childcare Funding Programmes can be downloaded from the PIP homepage at [www.pobal.ie](http://www.pobal.ie). Payments include Standard and Higher Capitation/AIM Level 1 where appropriate. Non Payable weeks are determined by the Service Calendar input by the Service at the start of the Programme Call

## Appendix 1

### Rules on attending more than one programme

Programme	ECCE	CCS Plus	CCSRT	TEC
ECCE	No <sup>^</sup>	No	No	Yes*
CCS Plus	No	Yes**	No	No
CCSRT	No	No	No	No
TEC	Yes*	No	No	No

<sup>^</sup>ECCE place can be split between two services in exceptional circumstances, 1) parental separation and joint custody arrangement which geographically makes it impossible for child to attend same service every day, 2) a child with disability attending a specialist pre-school and mainstream pre-school on the recommendation of an early intervention team or 3) the working arrangements/circumstances of the parent/s necessitates a split placement (See 1.2.28)

\*Allowed if TEC eligibility is outside ECCE hours, e.g. course is on in the afternoon and ECCE is on in the morning

\*\* CCS Plus Places can be split between services where the total does not exceed FTE i.e. five days

## Appendix 2 Good Practice Guide - Attendance Records

The maintenance of good attendance records is a requirement for both compliance with the [DCYA Funded Programme Rules](#) and the [Child Care Act 1991 \(Early Years Services\) Regulations 2016](#). Attendance records can be maintained in a variety of formats e.g roll books, weekly sheet formats or electronic formats. Pobal/the DCYA don't direct any specific format be used however from a good practice perspective we have collated some tips on how attendance can be consistently recorded to meet the DCYA Funded Programme requirements. For more support please contact your local City/County Childcare Committee.

### From the Start

- Ensure there are attendance records /roll books for each session/room including Breakfast clubs.
- State Child's full name (as per PIP records) - Don't use nicknames.
- Keep names of children in a consistent sequence throughout the cycle (facilitates attendance tracking). If a new child starts with the service, add their name to the bottom of the list.
- Use a ball point pen not pencil.
- Ensure attendance records/ roll books are accessible from beginning of cycle (including where a child's registration period has expired).
- Ensure attendance records /roll books are filled out by staff member working in the room.
- Keep Parent's Sign in and out book separate to Attendance records /roll books (if necessary).
- Don't use individual daily sheets/diaries.
- Date the week of attendance.

### Each Day

- Input time of arrival and departure for all children within the service including Afterschool. (Where a service collects children from a school for an afterschool service, please record attendance from the time the children are under the services responsibility.) Don't use ticks. Record attendance in real-time, as arrival and/or departures occur.
- Ensure Staff attendance is recorded daily on each room/session attendance records/roll book.

### Absences/ Leavers/ Movers

- Be consistent in documenting non-attendance e.g. always use an X for absent.
- If a child leaves the service, leave name on roll book and put a line through the remaining days of programme cycle to show as a leaver.
- If a child moves session/room within the service during the cycle – enter a note to reflect this on attendance records/ roll books.
- If child shares their day/week on an ongoing basis between different sessions/rooms – enter a note to reflect this on attendance records/ roll books.
- A Child should be recorded in record of attendance for each room they attend if moving rooms during day/week.
- Don't use Tippex on the attendance sheet/roll book - keep the information visible if a child has left.

### Weekly Sheets

- If using weekly sheets, keep in date order and secure in a folder.

### Electronic Records

- Make sure they are consistent and show attendance of child for full cycle.
- Where electronic records are maintained, the service **must** be able to produce weekly/monthly reports for individual children which show their level of attendance for the cycle to date. It is recommended that these reports are regularly produced and made available for compliance purposes.
- Make sure that the password is to hand and that a staff member understands how to retrieve the information from the system.

### Archiving

- Attendance records/ roll books must be kept for the time periods outlined in each programmes ECCE Agreement e.g 2018/2019 ECCE requirement states 7 years after the cycle ends.



## Good Practice Guide - Attendance Records



Room:		SAMPLE STAFF ATTENDANCE RECORD								
Week Ending: _/_/____	Monday		Tuesday		Wednesday		Thursday		Friday	
Staff Name:	Start Time:	Finish Time:	Start Time:	Finish Time:	Start Time:	Finish Time:	Start Time:	Finish Time:	Start Time:	Finish Time: