

Corrective Actions and Preventive Actions (CAPA) to Address Non-Compliances

Please read the following guidance notes carefully before completing your CAPA form

Where Non Compliances have been documented in your inspection report, you are required to explain in the Corrective and Preventive Actions Form (CAPA) attached to the report how you intend to address each of these non compliances. When the form has been completed please return by email to the Early Years Inspector.

What are Corrective Actions and Preventive Actions (CAPA)?

Corrective Actions and Preventive Actions (CAPA) are the defined actions necessary for you (Registered Provider) to take in order to address the non-compliances, identified in your Inspection Report, and prevent the non compliances reoccurring in order to meet the regulatory requirements defined by **The Child Care Act 1991 (Early Years Services) Regulations 2016**

There are two components to the Corrective Actions and Preventive Actions (CAPA) Form

- **Corrective Action(s):** the action(s) taken to rectify or eliminate the non compliance identified.
- **Preventive Action(s):** A Preventive action(s) is the ongoing action (if any) which are required to ensure that the non compliance does not reoccur.

1. How do I return the form? The form must be typed and returned by e-mail to the Early Years Inspector within 10 working days of receiving the Inspection Report. Details on how to complete the form are outlined below.

2. What do I need to return with the Corrective and Preventive Action Plan?

Return evidence of how the non compliance has been addressed e.g Photographic evidence, amended policy, certificate etc.

3. May I contact the Inspectorate for assistance in completing the CAPA form?

Yes. The Early Years Inspector can be contacted for clarification and guidance. The contact details of the Inspector are included on the email received by you which contains the Inspection Report and CAPA Form In addition, assistance is available by referring to **Questions asked to Tusla Early Years Inspectorate with regard to The Child Care Act 1991 (Early Years Services) Regulations 2016** available on Tusla web site at: <http://www.tusla.ie/services/preschool-services>

The Inspection tool used to inspect your service is also a useful reference and may be downloaded from: <http://www.tusla.ie/services/preschool-services/focused-inspection-tool-and-outcome-reports>

4. What happens next?

- Once you have submitted the completed CAPA Form, the Corrective and Preventive actions outlined by you will be reviewed by the Early Years Inspectorate.
- If the actions are found to address the non compliances satisfactorily, the actions are incorporated into the Draft Inspection Report under the heading *Response from Registered Provider, Corrective and Preventive Action* .
- *Please Note that only the information directly related to addressing the relevant non compliance as outlined on your draft Inspection Report will be inserted into the Final Inspection Report.*
- The Inspection Report is then forwarded to the Early Years Registration Panel for consideration.
- The Early Years Registration Panel will issue the Final Inspection Report and confirm your Registration status.

5. Will the Corrective and Preventive Action(s) (CAPA) be published with the Inspection Report?

No. The content of the Corrective and Preventive Action Plan, (CAPA) is added to the Final Inspection Report, then reviewed by the Early Years Registration Panel and the final report is published after it has been issued to you.

6. What if the information contained in the CAPA is not sufficient?

If the Early Years Inspectorate have deemed that the actions outlined in the CAPA will not satisfactorily address the non compliances, the Early Years Inspectorate, will return the the Corrective and Preventive Action(s) CAPA form to the Registered Provider to be revised. An additional 10 working days will be given for further amendment. The Inspectorate will provide assistance where it is sought.

If the CAPA information is still not sufficient, this will result in the Early Years Inspectorate escalating the non-compliance/s to the Early Years Registration Panel in line with the Regulatory Enforcement Policy.

7. What will happen if the CAPA form is not returned to the Early Years Inspectorate?

Failure to submit the Corrective Action and Preventive Action form (CAPA) within the timeframe required may result in enforcement action being taken by the Early Years Inspectorate. Enforcement action can include removal of your service from the Register of Early Years Services and/or prosecution.

How to Complete the Corrective and Preventive Action Form.

The response submitted on the Corrective and Preventive Action Form must relate directly to and address the non compliances outlined on the Inspection Report.

Section A

- Complete the details of the service including the dates of last inspection and CAPA issue date.

Section B

The following information must be completed by the Registered Provider. An example of a completed CAPA has been included for your information.

- **Regulation Number:** Insert the number of the Regulation which were found to be non compliant in the Draft Inspection Report. Each regulation must be addressed separately.
- **Corrective and Preventive actions** must be documented for each non-compliance
- **Corrective Action:** these are the steps and remedial actions that you, the Registered Provider, have taken to **correct** the non-compliance.
- **Preventive Action:** these are the steps and remedial action that you, the Registered Provider, have taken to **prevent** the non-compliance from occurring again in the future.
- **Timeframe:** Outline a date/s or a set period of time within which each action specified to address the non compliances have been or will be completed.

Note: The Corrective Action and Preventive Action must be documented using the SMART rule: Specific, Measureable, Achievable, Realistic and timely which is outlined as follows:

1. **Specific:** To set a specific goal (in this case to meet compliance under the regulation) you must answer the six questions: **Who:** Who is involved? **What:** What do I want to accomplish? **Where:** Identify a location. **When:** Establish a time frame. **Which:** Identify requirements and constraints. **Why:** Specific reasons, purpose or benefits of accomplishing the goal.
2. **Measurable:** When you measure progress, you stay on track and meet target dates required to reach your goal. To determine if your goal is measurable, ask questions such as: **How much? How many?**
3. **Achievable:** By identifying ways to achieve your goal such as: abilities, skills, and financial capacity.
4. **Realistic:** To be realistic, a goal must represent an objective toward which people are *willing* and *able* to work towards.
5. **Timely:** A goal should be addressed promptly within a time frame to ensure it is accomplished.

Tusla Early Years Inspectorate

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SAMPLE CAPA

Section A

DCYA Number:	XXXXX							
Tusla Identifier No:	TUXXXXX							
Name of Service:	Ann's Crèche							
Service Address line 1:								
Service Address line 2:	Down the Road							
Service Address line 3:	Co. Dublin							
Date of Last Inspection:	2	1	1	1	2	0	1	6
Date of CAPA Issue:	2	2	1	1	2	0	1	6

Section B

Corrective Actions and Preventive Actions (CAPA)

Regulation Number	Corrective Action and Preventive Action <i>(Using the SMART rule: Specific, Measurable, Achievable, Realistic and Timely).</i>	Timeframe	<i>For office use only (To be completed by Early Years Inspector) EYI comments</i>
9(1)(b)	<p>Corrective Action (How you as the registered provider have rectified / Corrected the Non- Compliance) The staff roster for the service has been reviewed to ensure that either the designated person in charge or an identified named deputy will be both rostered and on the premises at all times during operational hours.</p>	Write completed if the non-compliance has been rectified or add the date when the non-compliance will be rectified. EXAMPLE COMPLETED	
	<p>Preventive Action (Outlines how you as a registered provider prevents the non-compliance from reoccurring) The staff roster will be checked on a daily basis to verify availability of a designated person in charge or a named deputy. This action will be implemented and monitored by the service provider.</p>	Immediately	
Regulation Number	Corrective Action and Preventive Action <i>(Using the SMART rule: Specific, Measurable, Achievable, Realistic and Timely).</i>	Timeframe	<i>For office use only EYI comments</i>

9(2)(a)	Corrective Action Two written references in respect of previous employer, including a most recent employer which were validated by the designated person in charge of the service on 21.11.16 and have been submitted to the EYI office on 22.11.16.	22.11.16	
(b)	A separate written reference from a reputable source in the absence of a past employer has been submitted and was validated by the person in charge on 21.11.16. This reference was submitted to the EYI office on 22.11.16.	22.11.16	
(c)	A Garda vetting disclosure has been received in respect of the one staff member identified on inspection who did not have a disclosure and this disclosure has now been placed on file. A copy has been sent to the EYI office on 23.11.16.	23.11.16	
(d)	International police vetting has been secured in respect of the staff member who lived abroad and submitted to the EYI office on 30.11.16.	26.11.16	
9(2)(a)(b)(c)(d)	Preventive Action All staff files have been checked to ensure that validated references, Garda vetting and police vetting where applicable are held on file in respect of all adults working in the service. Staff files will be reviewed on an annual basis to ensure that the necessary documents as required are held on file.	Completed on 26.11.16 September of each year going forward.	
Regulation Number	Corrective Action and Preventive Action (Using the SMART rule: Specific, Measurable, Achievable, Realistic and Timely).	Timeframe	<i>For office use only EYI comments</i>
11(1)	Corrective Action The registered provider will ensure that an adequate number of adults are working directly with the children in the Baby Room at all times.	Immediately	
11(2)	The required adult/child ratio of 1 adult to 3 babies between 0 and 1 year will be maintained at all times in the service.	Immediately	
11(1)(2)	Preventive Action The necessary number of adults required to care for children in the service will be maintained at all times. The registered provider will cross check the number of children to be cared for in	Daily	

	each room against the staff allocated to the rooms to ensure that an adequate number of staff are rostered on a daily basis.		
Regulation Number	Corrective Action and Preventive Action (Using the SMART rule: Specific, Measurable, Achievable, Realistic and Timely).	Timeframe	<i>For office use only EYI comments</i>
16(1)(g)	Corrective Action 1. The healthy eating policy has been expanded to include availability of drinking water at all times for children, and provision of alternative food if a child indicates they are hungry in between meal times. 2. The policy on accidents and incidents has been reviewed to indicate the detail of the accidents and incidents which are recorded and also to provide for carrying out a risk assessment following an incident in the service.	27.11.16 27.11.16	
16(1)(i)	The staff roster has been revised to clearly indicate date and time of arrival and departure and break time for staff working in the service on a daily basis in all rooms.	27.11.16	
16(1)(g)	Preventive Action 1. All staff have had refresher training on the updated healthy eating policy and implementation of same will be monitored by the registered provider. 2. All staff have had refresher training on the updated policy on accidents and incidents and implementation of same will be monitored by the registered provider. The designated person in charge has been allocated responsibility for conducting a risk assessment following an incident in the service and to document any remedial measures taken. A record is now being maintained of all refresher training conducted and attendees at same	1.12.16 Ongoing	
16(1)(i)	The designated person in charge and deputy will link on a daily basis to ensure that a named person in charge is in the service at all times and staff are aware of who this person is. The registered provider of the service will ensure that an adequate number of staff are rostered on a daily basis to ensure adequate adult/child ratios are maintained in all rooms. The Registered Provider will ensure that Practice is constantly under review to ensure that it is in line with Revised policy	Immediately Ongoing	

Regulation Number	Corrective Action and Preventive Action (Using the SMART rule: Specific, Measurable, Achievable, Realistic and Timely).	Timeframe	For office use only EYI comments
19(1)(a)	Corrective Action <i>Basic needs of the Infants and Children:</i> A refrigerator has been purchased and located in the kitchen in the service. Parents have been requested to label their children's lunch boxes which are now removed from bags on arrival of the children to the service and placed in the refrigerator.	2.12.16	
	Preventive Action A designated staff member in the Sessional/Montessori Room has been assigned responsibility for ensuring that children's lunch boxes are removed from bags on arrival to the service and placed in the fridge in the kitchen.	Daily	
20(1)(b)	Corrective Action A soft low level couch has been located adjacent to the book shelves in the Montessori Room to allow children to take a break as required.	2.12.16	
	Preventive Action Children will be encouraged to avail of the soft seating on a regular basis and as deemed necessary.	Ongoing	
23	Corrective Action <i>General Safety:</i> 1. The cross bars on the double fire exit doors leading from the Montessori Room to the	3.12.16	

	<p>open pathway to the car park have been replaced with thumb locks at adult level on the recommendation of the Fire Safety Officer.</p> <p>2. A child proof lock has been placed on the door of the low level press under the sink in the Toddler Room to deny children access to the press.</p>	3.12.16	
	<p>Preventive Action</p> <p>1. The locks will be checked on a monthly basis to ensure they remain in good working order.</p> <p>2. All child safety locks will be checked on a monthly basis to ensure they are in proper working order.</p>	Ongoing	
Regulation Number	Corrective Action and Preventive Action <i>(Using the SMART rule: Specific, Measurable, Achievable, Realistic and Timely).</i>	Timeframe	<i>For office use only EYI comments</i>
26(1)(a)	<p>Corrective Action</p> <p>At a staff meeting held on the 23.11.16 subsequent to the inspection it was indicated by the person in charge that fire drills must be conducted in the service on a monthly basis. Minutes of the meeting were subsequently dispatched to all staff in the service.</p>	23.11.16	
	<p>Preventive Action</p> <p>The designated person in charge was assigned responsibility for both conducting and recording monthly fire drills.</p>	23.11.16	

****This is a guidance template only for Registered Providers. It is the Registered Providers responsibility to outline how the non-compliances will be addressed by corrective and Preventive actions.**

(Add more rows if necessary) or (delete rows not required)

CAPA submitted by Registered Provider *: *or person authorised by the Registered Provider.	Document name here	Date of Submission	
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Section C

For Tusla Internal Office use only:

Corrective Actions and Preventive Actions (CAPA) reviewed on date: __/__/__

Reviewed by:

Name and Title	Name and Title

Outcome

- Are the Corrective and Preventive Actions addressing the non-compliances? Yes No

If No, insert date of request for revised Corrective and Preventive Action Form: _/ _/ _

**Note one additional opportunity to submit CAPA only as per the Early Years Inspectorate (EYI) –Development and Approval of Inspection Reports Procedure.*

Resubmitted Corrective and Preventive Form

Updated Corrective Actions and Preventive Actions (CAPA) received on date: __/__/__

Updated Corrective Actions and Preventive Actions (CAPA) reviewed on date: __/__/__

Reviewed by:

Name and Title	Name and Title

Outcome

- Are the Resubmitted Provided Corrective and Preventive Actions addressing the non compliances: ? Yes No

If No, document date escalated to Registration Panel: _____

Signed and Dated (Lead Inspector)

Name	Title