

Compliance Framework

Frequently Asked Questions

1. What is the purpose of the Compliance Framework?

The Compliance Framework is designed to support providers in reducing the number of instances and severity of non-compliant outcomes.

Through a managed referral process via Pobal, a County or City Childcare Committee (CCC) provides supports to providers who have received a non-compliant outcome after a Pobal compliance visit.

2. How and why could my service be placed on the Compliance Framework?

Providers are placed on the Framework by Pobal Compliance, Audit and Risk (CAR) Directorate, if they receive a non-compliance score of 18 or more or a major non-compliant outcome(s).

A provider is placed on the Framework to assist them in rectifying their respective non-compliant outcome(s) and to help support them to maintain a compliant status in the future.

When a provider is placed on the Framework, they will be offered supports to assist them in rectifying their non-compliant outcome(s) and to become a compliant provider. These supports will differ depending on the nature of the non-compliant outcome(s).

3. When and why would my service be moved through the Levels of Compliance Framework?

If a major non-compliant outcome(s) is detected, or a non-compliant score of 18 is reached during a compliance visit, a provider is placed on the Initial Support Level of the Compliance Framework. The provider has 30 calendar days to rectify their non-compliance outcome(s). Should that not be achieved and/or if there is no engagement with their CCC, then the provider moves to Level 1 of the Framework from the Initial Support Level.

Likewise, if there is no engagement and/or a provider does not rectify the non-compliance outcome(s), they move to Level 2 of the Framework. Should the provider again be found to be non-compliant and non-engaged with their CCC, a sanction will apply for partner services and a third compliance visit will take place. If, by the conclusion of Level 2, the provider is still non-compliant, then the provider's continued participation in the beneficiary schemes may also be considered by the Department of Children, Equality, Disability, Integration and Youth.

4. What supports are available on the Compliance Framework?

The Framework has three levels of support: Initial Support Level, Level 1, Level 2. These supports will differ depending on the nature of a non-compliant outcome.

The Initial Support Level is designed to refer non-compliant provider's to CCC. This level is active from when the provider receives a non-compliant outcome(s) to when the rectification period for the outcome(s) expires.

Level 1 constitutes additional engagement and supports offered to the provider through their CCC, to assist in rectifying non-compliant outcome(s). Level 1 of the Framework constitutes the period after the rectification period has passed up until the second compliance visit.

Level 2 sees further engagement by a provider's respective CCC and constitutes the time period from the second compliance visit to the third.

5. How long is the rectification period?

The period for rectification on receipt of a non-compliant outcome(s) is 30 calendar days.



6. What is the sanction and how does it work?

The sanction is solely calculated using a provider's annual Core Funding allocation (where applicable) and does not take into account other funding streams. The sanction is 6% of a provider's annual Core Funding allocation. The sanction is calculated using the provider's Core Funding allocation relating to the programme year the non-compliant outcome was issued, not the year the sanction is applied.

80% of the sanction is payable when a provider is initially placed on Level 2 of the Framework with the remaining 20% payable if a service fails to rectify at the end of Level 2.

The provider's continued participation in the beneficiary schemes may also be considered by the Department of Children, Equality, Disability, Integration and Youth on failure to rectify at Level 2 of the Compliance Framework.

7. What happens when my service comes off the Compliance Framework?

There are two ways a provider can come off the Compliance Framework. When a provider rectifies their non-compliant outcome(s) they will be taken off the Framework and no further action is required by the provider.

Alternatively, if a provider fails to rectify at the conclusion of Level 2 then that provider will be referred to Pobal Integrated Case Management (ICM) and the provider's continued participation in beneficiary schemes may be considered by the the Department of Children, Equality, Disability, Integration and Youth.

8. What are the beneficiary schemes that the Compliance Framework applies to?

The current beneficiary schemes include:

- National Childcare Scheme (NCS)
- Early Childhood Care & Education Programme (ECCE)
- Community Childcare Subvention Plus (CCSP) Saver Programme

For further information please see the Compliance Framework Overview here:
<https://earlyyearshive.ncs.gov.ie/downloads/>



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Department of Children, Equality,
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