

**General Terms and Conditions governing participation in the
Early Childhood Care and Education (ECCE) Programme.**

1. A participating service provider must have an agreed contract with the Minister for Children and Youth Affairs and be:
 - (a) notified to the Health Service Executive (HSE) as a pre-school service and have a satisfactory level of compliance with the Child Care (Pre-School Services) (No. 2) Regulations 2006, or
 - (b) a service provider which is registered with the Irish Montessori Educational Board (IMEB) and was not previously notified to the HSE.
2. Administration of the Programme shall be the responsibility of the Department of Children and Youth Affairs ("the Department"). The Term of the contract shall be from September 2011 to August 2012.
3. Participating service providers must be trading as a sole trader, partnership, limited liability company or school Board of Management. Participating service providers are also required to demonstrate tax compliance by providing an up-to-date Tax Clearance Certificate. The Tax Clearance Certificate must be in the name of the provider or the service; certificates in the name of another person will not be acceptable. It is the responsibility of service providers to ensure that they obtain a renewed Tax Clearance Certificate from the Revenue Commissioners when it falls due, and submit it to the Childcare Directorate. No payments in respect of ECCE services will be issued in the absence of an up-to-date Tax Clearance Certificate.
4. Participating service providers must have an e-mail address to be used for communications from the Department in relation to the Pre-School Service. The Department reserves the right to communicate important information, including information relating to payments, by way of e-mail.
5. Participating service providers must provide a contact address. Where the service provider's home address is different to the facility address, both addresses must be provided. (This does not apply where the Grantee is a limited company on a School Board of Management.) A contact telephone number, at which the provider can be contacted during working hours, must also be provided.
6. Participating service providers must agree to use grant funding received under the ECCE Programme to provide a free pre-school year in Early Childhood Care and Education, as provided for under the terms and conditions of the Programme, to all qualifying children in return for the capitation fee paid to the service provider by the Department.
7. Participating children must normally be more than 3years 2 months and less than 4years 7 months in September of the relevant year. For a child to be eligible to participate in the Scheme in September 2011, she or he must have been born on or after 2nd February 2007 and on or before 30th June 2008. Exceptions to the upper age limit will be allowed where children have been assessed by the HSE, or a treating consultant, as having special needs which will delay their entry to school, or it is appropriate to accept children at an older age due to the enrolment policy of the local primary school.
8. Subject to the exception set out in this condition, children will not be allowed to participate in the Programme in more than one period of provision, running from September to August of each year. Where a child has been assessed by the HSE or a treating consultant as having a significant disability, that child may, at the discretion of the Department, be permitted to avail of the Pre-School Service on a part-time basis over two years (for example, for two days per week during the first year and three days per week during the second year). In such cases the service provider will be paid a pro-rata capitation fee for that child over the two years. This discretion will

not be applied where the Pre-School Service is being provided in a specialised service for children with disabilities.

9. Participating service providers are expected to have a minimum enrolment of 8 children in their pre-school year. Subject to compliance with all other contractual requirements, exceptions will be considered in the case of:
 - service providers who have an enrolment of at least 8 children but, for good reason, only 3 or more are in their pre-school year and the remainder will be eligible for a pre-school year in the following year, and
 - smaller service providers which are considered appropriate settings for delivery of the pre-school year but, for good reason, have an enrolment of not fewer than 5 children in their pre-school year.
10. Participating service providers must agree to provide an appropriate educational programme for children in their pre-school year which adheres to the principles of Síolta, the national framework for early years childhood education. Participating service providers will be supported in meeting this requirement through the assistance of Síolta Co-ordinators and their local City or County Childcare Committee (CCC). Participating service providers must agree to accept assistance visits and advice from Síolta Co-ordinators and staff of the local CCC.
11. A pre-school year catering for 16 to 20 children, as appropriate to the setting, must be delivered by a Pre-school year Leader assisted by a childcare worker. Where a pre-school year caters for not more than 8 or 10 children, as appropriate, it must be delivered by a Pre-school year Leader. Pre-school year Leaders must hold a certification for a major award in childcare/early education at a minimum of level 5 on the National Framework of Qualifications of Ireland (NFQ) or an equivalent nationally recognised qualification or a higher award in the childcare/early education field. During the period September 2010 to August 2012, the qualification requirement is considered to be met where a person can demonstrate that he or she has achieved a certification for an award in ECCE that includes significant content covering the core knowledge areas, child development, early learning, health and welfare and has at least 2 years experience of working in a position of responsibility with children in the 0-6 age range.
12. Participating service providers will be paid a capitation fee for each eligible child enrolled and attending its service at the start of each term or period of payment, as applicable. The capitation fee will, normally, be equivalent to €64.50 per week for 38 weeks, in the case of a playschool sessional service provider. A higher capitation fee, equivalent to €75 per week for 38 weeks, will be payable to playschool sessional service providers where all the Pre-school Leaders in the service hold a bachelor degree in childhood/early education (minimum of Level 7 on the NFQ or equivalent) and have 3 years experience working in the sector, and where all the Pre-school Assistants hold a relevant major award in childcare/early education at level 5 on the NFQ or its equivalent. In the case of a full or part-time daycare service provider, the capitation fee will be equivalent to €48.50 per week for 50 weeks.
13. Service providers can participate in the scheme on the basis of a number of options.

A playschool sessional service provider will be required to provide a Pre-School Service for 3 hours per day, five days a week for 38 weeks (183 days) per year, in return for a capitation fee of €64.50 per week. *(Exceptions may be allowed where, for good reason, it is not possible for a sessional service provider to operate over 5 days. Where an exception is allowed on this basis, a service will be allowed to participate in the scheme on the basis of providing the pre-school year for 3 hours 30 minutes per day for 4 days per week. In such cases, a service provider will be required to provide the Pre-School Service over 41 weeks (157 days) and references to 38 week services should be taken as applicable to these services.)*

A full or part-time daycare service provider will be required to provide the Pre-School Service for 2 hours 15 minutes per day, five days a week for 50 weeks (241 days) per year, in return for the capitation fee of €48.50 per week. *Where for good reason one or more children attend a full or part-time daycare service for 3 days a week only, the service provider can participate in the scheme on the basis of providing the Pre-School Service to those children for 3 hours 45 minutes per day for 3 days per week. In such cases, a service provider will be required to provide the Pre-School Service over 50 weeks (145 days) and references to 50 week services should be taken as applicable to these services.*

Arrangements for the pre-school provision may vary as follows. A full or part-time service provider may also choose to provide a sessional service over 38 weeks of a year (or 2 sessional services each day) while a sessional service provider may also choose to provide 2 hours 15 minutes per day over 50 weeks. Where a service provider also proposes to participate in the scheme by providing both a 38 week service and a 50 week service, this should be indicated clearly on the application form.

14. In all cases, participating service providers must operate the relevant pre-school provision free to parents in return for the applicable capitation fee, and parents should be given access to the pre-school service where their child only attends the pre-school element of the service. However, participating service providers may charge parents for optional additions as follows:
- hours which are additional to the free Pre-School Service requirement. In the case of a full or part-time service, the service provider will offer additional hours to the pre-school provision which they will charge for. In the case of a sessional service provider, an additional 30 minutes per day may be offered as an optional addition which can be charged for. A part-time service provider within the 38 week model can offer up to 2 hours per day as an optional addition which can be charged for;
 - optional additional services can also take the form of various one-off or on-going activities or services such as outings, birthday parties, specific teaching resources such as dance or music, and food but should not include activities which would generally be regarded as a normal part of a pre-school service, e.g. general arts and crafts activities.

Note: Participating service providers must ensure that parents are informed that their agreement to additional hours or to any optional charge is not compulsory and that agreement is not a condition of initial or continued enrolment, and appropriate programme-based activities must be provided to children not participating in an optional activity where this takes place during the required period of pre-school provision. Booking deposits may be taken from parents provided the deposit is not more than twice the weekly capitation fee applicable to the service and provided it is repaid to parents by the end of September 2011.

15. All places provided under the Programme by a service provider must meet the requirements in terms of length per day, days per week and weeks per year. It is not mandatory that children attend every day but service providers should prioritise places for children where parents indicate that they intend to avail of the place for at least 4 days each week. Playschool service providers should enrol children under the Programme on the basis of providing a full place. However, where for good reason a service provider provides part-places, i.e. where two or more children share one pre-school place and each attends for a number of days per week, this will be permitted. In such circumstances the service provider will be paid a pro-rata capitation fee (i.e. the fee will be calculated by reference to the total number of children attending each day rather than the total number of children attending per week). Should additional capacity arise in the service during this period e.g. a child leaves to take up a full Pre-School Service place in another service, the additional capacity should be made available to another child or children already attending the service.

16. Service providers will be required to complete all contractual requirements and have a contract in place with the Department by July 2011. A later date may be permitted where the Department deems it appropriate. Contractual requirements will include requirements governing record-keeping, accounts, tax clearance, reporting and audit procedures. All approved providers will be required to submit a Fees Policy to their local CCC for approval at contract stage which demonstrates that, where children attend for more than the minimum hours, the capitation fee is used in full to reduce the fee charged to parents for additional hours. The Department will require service providers to communicate with it by e-mail where required, and to make an electronic return in September 2011, and on other date(s) thereafter, giving details of eligible children enrolled and for whom the capitation fee is being claimed.