

Legislation handb o o k for childcare pr o v i d e r s (2nd Edition)

© 2008 Barnardos' Training and Resource Service and Border Counties Childcare Network

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ISBN: 978-1-906004-07-1

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Published by
Barnardos' Training and Resource Service
Barnardos
Christchurch Square
Dublin 8

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Acknowledgements

Anne Conroy, National Manager,
Barnardos' Training and Resource Service.
Denise McCormilla, Project Manager,
Border Counties Childcare Network.
Barbara Dempsey,
Human Resources, Barnardos.

Barnardos supports children whose well-being is under threat, by working with them, their families and communities and by campaigning for the rights of children. Barnardos was established in Ireland in 1962 and is Ireland's leading independent children's charity.

The Border Counties Childcare Network (BCCN) is a unique network aimed at supporting the development of a co-ordinated approach to the delivery of high quality early childhood services in the counties of Monaghan, Meath, Louth, Cavan, Donegal, Sligo and Leitrim.

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Introduction

This handbook is an update on the 2005 publication *Legislation Handbook for Childcare Providers*. It is intended to act as a guide to the many areas of legislation that impact upon childcare providers in the various sectors in Ireland, such as day care, school-age childcare, sessional pre-school services and childminders. Whether a provider is working in a very small setting or in a large establishment, legislation plays an important role in shaping activities and the way in which the setting is run. The primary purpose of legislation is to ensure safe, ethical practices whether in connection with protecting children, with work practices or with financial matters.

For childcare providers, it is crucial that knowledge of relevant legislation is up-to-date and comprehensive. This will ensure that the service operates effectively and in accordance with the law, thereby providing a safe and productive setting that can focus on offering quality services. It can seem a daunting task to wade through the many relevant Acts, and even identifying which Acts apply to each service can be a challenge, so this handbook will serve as a useful reference to point people in the appropriate direction.

The handbook is divided into sections with a quick reference guide at the start of each listing the key areas of legislation. Each section then gives the main items of legislation along with a short description of the purpose, an indication of who the legislation applies to and a listing of useful contacts or sources of further information.

Services need to be compliant and they should endeavour to adopt a proactive approach to all areas. By regularly reviewing policies and procedures and by providing staff training where necessary, providers can ensure that their service is actively engaged in practice that seeks to set and maintain the highest standards for both its service users and staff.

MANAGEMENT OVERVIEW

The role of management in childcare services is a crucial one, encompassing responsibility for children, staff, parents and anyone else who may be upon the premises, whether in a professional capacity or a visiting one. The service can be privately operated, or a committee might manage the service, as in community pre-schools. Childminders are also managing a service, and certain legislation is relevant to them.

The management responsibilities of those operating a childcare service fall under the following broad headings:

- Ensuring compliance with all relevant legislation.
- Ensuring that there is a clear management structure in place.
- Establishing and maintaining financial systems and administrative procedures.
- Acting as an employer.
- Devising and implementing policies and procedures.
- Monitoring and evaluating the service on an ongoing basis.

Management need to thoroughly familiarise themselves with all of these areas and to seek advice and assistance where necessary.

There have been a number of changes in various pieces of legislation over the past couple of years that will impact upon providers that they should take note of. For example, the Safety, Health and Welfare at Work Act, 2005 places considerable responsibility on the shoulders of management and places liability for non-compliance directly with them while the Child Care (Pre-school Services) Regulations, 2006 outline detailed legal requirements that must be adhered to. In terms of employment legislation, there are a wide number of Acts which impact upon providers, and, to quote from *Personnel Practice in Early Years Services – A Guide* Second Edition, 2005 'Services should also consider having access to professional support and advice in this complex area of

employees' entitlements where non-compliance can leave the employer facing potential costly action in the courts'.

Management has a responsibility to ensure that their practices are as up-to-date as possible, allowing for changes that are introduced, perhaps through means such as the annual Finance Act, or judgments and directives from the EU that affect legislation. Their policies and procedures should acknowledge and incorporate any legislation that is appropriate, thus knitting it into the fabric of the operations of the setting they manage.

All legislation covered in this handbook is available from:
The Government Publications Sales Office
Sun Alliance House
Molesworth Street
Dublin 2
T: 01 6476879
www.irishstatutebook.ie

Contact details for all organisations named as Sources of Further Information within each section can be found at the back of this handbook.

Section one

CHILDREN

This section includes the Child Care Act and Child Care Regulations; Child Protection; Protection of Persons Reporting Abuse; the UN Convention on the Rights of the Child.

CHILD CARE ACT AND CHILD CARE REGULATIONS
Child Care Act, 1991 (Part VII)
Child Care (Pre-school Services) Regulations, 2006
Child Care (Pre-school Services) (No 2) (Amendment)
Regulations, 2006

In brief

Under common law in Ireland, those having care of a child act in *loco parentis*. If the care of the child is regular or is of a long duration, then the carer may have additional duties, such as in medical emergencies. The Child Care Act is the main piece of legislation governing the care and protection of children in Ireland. It was the first Act to cover childcare services. The Act places a statutory duty on the health boards, now the Health Service Executive (HSE), to 'promote the welfare of children in its area who are not receiving adequate care and protection'; it strengthens the powers of the HSE to provide childcare and family support services; it enables the immediate intervention of HSE or An Garda Síochána where children are in danger; it enables the courts to place children who have been abused or who are at risk in the care of or under the supervision of the HSE; it provides arrangements for the notification and inspection of pre-school services and it revises the provisions for registration and inspection of residential care centres.

Part VII of the Child Care Act facilitated the introduction of The Child Care (Pre-school Services) Regulations, 1996, which have since been replaced with the Child Care (Pre-school Services) Regulations, 2006, and Child Care (Pre-school Services) (No 2) (Amendment) Regulations, 2006. These came into effect on 3 September 2007. The Regulations focus on the development of children, the physical environment for children's services, safety and emergency aspects, and appropriate record keeping. The purpose of these Regulations is to set minimum standards throughout the sector. While there are still no minimum standards concerning the training and qualifications of staff working in childcare services, *The Explanatory Guide to the Regulations* suggests that 'the person in charge should aim to have at least fifty percent of childcare staff with a qualification appropriate to the care and development of children.'

A person carrying on a pre-school service must also ensure appropriate vetting of all staff, students and volunteers who have access to children. This means getting references from past employers and Garda Vetting. At present, as priority is being given to Garda Vetting of new staff, students and volunteers, the arrangements for Garda Vetting for existing staff, students and volunteers are not yet in place. Accordingly, pre-school service providers should not be required to produce evidence of Garda Vetting for persons in this category and should not be found to be non-compliant with the Regulations in respect of same. (This situation will change in time so providers should check with the Garda Central Vetting Unit if in any doubt.)

At the request of the Office of the Minister for Children, Barnardos is assisting in the processing of Garda Vetting applications for a number of childcare providers who are not directly registered with the Central Vetting Unit, and who are not members of the National Children's Nurseries Association or the IPPA – The Early Childhood Organisation. Providers who are members of these organisations should contact them directly to process vetting applications. The Barnardos service can be contacted at Barnardos' Vetting Service, The Bowling Green, White Street, Cork, or by email vetting@barnardos.ie. For further information on vetting contact the Garda Central Vetting Unit.

Under the Child Care Regulations, pre-school providers are obliged to notify the Health Service Executive that they are proposing to carry on a pre-school service. They need to give a minimum of 28 days notice in advance (14 days for a temporary drop-in centre). This would be good practice for school-age childcare services also. Drop-in centres and some childminders are also covered by these Regulations.

Other areas covered by the Regulations include: development of the child; health, safety and welfare of the child; adult/child ratios; record keeping; notification procedures; premises and facilities; child/space ratios; and inspection. There are detailed requirements covering each area, such as safety measures for furniture and outdoor access; rest periods for children; providing opportunities for development of children; and requirements around food provision.

The Child Care (Amendment) Act, 2007 makes provision for the introduction of regulations on school age childcare. These have not yet been implemented.

Summary of Pre-school Regulations

The Child Care (Pre-school Services) Regulations, 2006 make the following requirements on the providers of childcare services.

'A person carrying on a pre-school service shall ensure that each child's learning, development and well-being is facilitated within the daily life of the service through the provision of the appropriate opportunities, experiences, activities, interaction, materials and equipment, having regard to the age and stage of development of the child and the child's cultural context.'

A person carrying on a pre-school service should ensure that a sufficient number of suitable and competent adults are working directly with the pre-school children in the pre-school service at all times. *The Explanatory Guide to the Regulations* sets out the ratios recommended for staff working with children in various services as well as the child/space and sanitary accommodation ratios required.

These are as follows:

Adult/Child ratios

Type of Service	Age of Children	Adult/Child Ratio Recommended
Full Day Care	0–1 year	1:3
	1–2 years	1:5
	2–3 years	1:6
	3–6 years	1:8
Part-time Day Care	0–1	1:3
	1–2	1:5
	2–3	1:6
	3–6	1:8
Sessional	0–1 years	1:3
	1–2½ years	1:5
	2½–6 years	1:10
Drop-in	0–6 years	1:4 (no more than 2 under 15 months)
Childminder	0–6 years	1:5 (no more than 2 under 15 months)

Sanitary accommodation for all categories of pre-school service

No of Persons	Toilets	Wash-hand Basins
For every 10 children	1	1
For every 8 adults	1	1

Space requirements per child (clear floor space minus fixtures and furniture)

Category	Age of child	Floor area per child
Sessional	0–6 years	2.00 sq metres
Part-time day care	0–1 year	3.5 sq metres
	1–2 years	2.80 sq metres
	2–3 years	2.35 sq metres
	3–6 years	2.3 sq metres
Full day care	0–1 year	3.50 sq metres
	1–2 years	2.8 sq metres
	2–3 years	2.35 sq metres
	3–6 years	2.3 sq metres
Drop-in centre	0–6 years	2 sq metres
Childminder	0–6 years	In line with code of practice

Premises and Facilities

A person carrying on a pre-school service shall further ensure that:

- The premises are of sound and stable structure, are safe and secure and are suitable for the purposes of providing a pre-school service.
- The premises, fixtures and fittings are kept in a proper state of repair, in a clean and hygienic condition and are protected from infestation.
- Suitable and secure storage facilities are provided for cleaning chemicals and unsafe, toxic, dangerous or hazardous materials, substances or equipment.
- Adequate and suitable storage is provided for prams, pushchairs, carrycots, play and work equipment and personal belongings.
- The premises are adequately rodent-proofed in a manner which does not compromise the safety of the pre-school children or constructed in such a manner as to prevent the ingress of pests.

Inspection

Services are inspected by the HSE and it is planned to make inspection outcome reports available on the HSE website in the future

The Health Information and Quality Authority (HIQA) is a newly established independent authority which will set up and monitor standards in Ireland's health and social care services. It will monitor the inspections of pre-school services by the HSE and report back to the Minister for Health. HIQA will produce National Standards in Childcare in due course.

Applies to

All settings providing pre-school childcare services, including pre-schools; play groups; day nurseries; crèches and day care services; childminders caring for more than three children (other than their own); and drop-in services.

Further information

- *Explanatory Guide to Requirements and Procedures for Notification and Inspection* (2006) Dublin: The Stationery Office
- Shannon, G. (2005) *Child Law* Dublin: Thompson Round Hall
- Local City and County Childcare Committees
(see www.pobal.ie for contact details)

CHILD PROTECTION

Note: There is at this time no provision in Ireland for mandatory reporting of child abuse or suspected child abuse. For reference on the current position see *Children First: National Guidelines for the Protection and Welfare of Children* (Department of Health and Children, 1999) and also *Our Children First – A Parent's Guide to the National Child Protection Guidelines* (Barnardos' National Children's Resource Centre, 2004).

In brief

Child protection is dealt with under the Child Care Act, Part 2 Section 4, and the Government has published guidelines for this in *Children First*. This is supported by the Department of Health and Children's publication *Our Duty*

to *Care*, which sets out principles of good practice that aim to foster a listening environment that is supportive of children and also of parents, volunteers and staff. The HSE recommends the development of a Child Protection Policy and has Information Officers readily available to provide information to services.

Applies to

All persons working with children, and any adult who is in contact with children (for Garda Vetting of such persons in a childcare setting see page 8).

Further information

- Department of Health and Children (1999) *Children First: National Guidelines for the Protection and Welfare of Children* Dublin: The Stationery Office
- Department of Health and Children (2002) *Our Duty to Care: The Principles of Good Practice for the Protection of Children and Young People* (both of the above are available to download on www.dohc.ie)

PROTECTION OF PERSONS REPORTING ABUSE

Protection of Persons Reporting Abuse Act, 1998

In brief

This Act provides for the provision of immunity from prosecution to any person who reports child abuse 'reasonably and in good faith' to designated officers of the HSE or any member of An Garda Síochána. It provides for the provision of significant protection for employees who report child abuse. These protections cover all employees and all forms of discrimination up to and including dismissal. It creates a new offence of false reporting of child abuse where a person makes a report of child abuse to the appropriate authorities 'knowing that statement to be false'. This is a new criminal offence designed to protect innocent persons from malicious reports.

Applies to

All persons working with children, and any adult who is in contact with children.

Further information

- Department of Health and Children (1999) *Children First: National Guidelines for the Protection and Welfare of Children* Dublin: The Stationery Office

THE UN CONVENTION ON THE RIGHTS OF THE CHILD

The UN Convention on the Rights of The Child, 1992

In brief

The Convention is essentially a 'bill of rights' for all children, outlining rights relating to every aspect of children's lives, such as the right to survival, development, protection and participation. Principles include:

- Non-discrimination – all rights apply to all children.
- The best interests of the child – all actions concerning the child shall take account of his or her best interests.
- Survival and development – every child has the inherent right to life and the State has an obligation to ensure the child's development.
- The child's opinion – the child has the right to express his or her opinion and have it taken account of in any matter or procedure affecting him or her.

In addition, the Convention recognises the critical role of the family. In accordance with the Convention, an Ombudsman for Children has been appointed. Her role has two main functions: to promote the rights and welfare of children; and to examine and investigate complaints against public bodies such as Health Service Executive, voluntary organisations, hospitals and schools.

Applies to

All children in Ireland, and elsewhere when ratified.

Further information

- The Ombudsman for Children
- Barnardos' Training and Resource Service

Section two

EMPLOYERS & EMPLOYEES

This section includes the Employment Legislation: Adoptive Leave Acts, Carer's Leave Act, Force Majeure Leave, Juries Act, Maternity Protection Acts, Minimum Notice Acts, Organisation of Working Time Act, Parental Leave Act, Terms of Employment Acts, Unfair Dismissal Act.

EMPLOYMENT LEGISLATION (IN ALPHABETICAL ORDER)

(please note that these lists are not exhaustive)

Adoptive Leave Acts, 1995–2005

In brief

The Act applies to adopting mothers under a contract of employment; all sole male adopters under a contract of employment; all adopting fathers under a contract of employment where the adopting mother has died before or during the period of adoptive leave or additional adoptive leave.

The entitlements are 24 consecutive weeks beginning at the date of placement and additional adoptive unpaid leave of 16 weeks. These additional 16 weeks, if taken, must follow the initial 24 weeks adoptive leave.

The adopting mother or sole male adopter should notify their employer in writing of their intention to take adoptive leave as soon as possible, but not later than four weeks before the expected date of placement.

For the most part, an employee is also entitled to:

- Time off from work, without loss of pay, to attend pre-adoption classes or meetings held within the State that the employee is obliged to attend, subject to the employee giving sufficient notice of the dates and times of these meetings/classes.
- Terminate additional adoptive leave where the employee is ill, to transfer to sick leave. This would be treated in exactly the same way as any employee's absence from work due to sick leave.
- Postpone the adoptive leave or additional adoptive leave where the adopted child is hospitalised. The same principles apply as outlined under the same circumstances for maternity leave.

An employee is obliged to give their employer notice in writing of their intention to return to work and their return date following adoptive leave.

Carer's Leave Act, 2001

In brief

This Act allows employees to take time off to care for people deemed relevant by the Department of Social and Family Affairs. There is an allowance of a total of 104 weeks that may be taken to provide care for the person requiring it. An employer may decide not to grant requests for Carer's Leave where the duration is less than 13 weeks. Where Carer's leave is broken there must be a minimum of six weeks between periods of the leave. During the first 13 weeks of the leave, an employee's right to annual leave and public holidays is maintained. An employee must give sufficient notice of their intention to take the leave as well as notice of their intention to return to work following Carer's Leave.

Force Majeure Leave (as outlined by the Parental Leave Acts, 1998–2006)

In brief

An employee is entitled to leave with pay in the event of the illness or injury of a family member where their presence is urgent and imperative. Defined relatives include:

- Person to whom the employee is a parent or adoptive parent.
- Spouse of an employee or common law person.
- Person to whom the employee is *loco parentis*.
- Brother or sister.
- Parent or grandparent.
- Persons in a relationship of domestic dependency.

As soon as is reasonably practicable, notice of force majeure leave should be given to the employer. This notice should contain details as to why the employee needed to take the leave. Employees will be entitled to up to three days paid force majeure leave in a 12-month period or up to five days in a 36-month period. An employee who takes part of a working day will be seen to have taken one day's entitlement.

Note: There are various criteria regarding the administration of the request for force majeure leave, which must be followed. For more information contact the Department of Enterprise, Trade and Employment.

Juries Act, 1976

In brief

Section 29 of this Act applies whereby employees are provided with paid leave during their period of absence from the work place to attend jury duty. If you are self-employed and work alone and where your attendance at jury service may mean you cannot earn a living, you may qualify for excusal from jury service. Contact the jury office of the Court for more information.

Maternity Protection Acts, 1994–2004

In brief

These are the main Acts in relation to legislative provisions on maternity leave. The following statutory regulations also apply: Maternity Protection (Time Off for Ante-Natal Classes) Regulations, 2004; Maternity Protection (Protection of Mothers who are Breastfeeding) Regulations, 2004; Maternity Protection (Postponement of Leave) Regulations, 2004; Maternity Protection Act, 1994 (Extension of Periods of Leave) Order, 2006.

Under this Act, employees are required to give their employer at least four weeks written notice of their intention to take maternity leave, together with confirmation from their GP or hospital. An employee must advise the employer in writing of their return to work four weeks before they are expected to return.

The statutory entitlement is 26 weeks' maternity leave, together with a further 16 weeks' additional unpaid maternity leave. Employees are entitled to any public holidays and annual leave that occurred during their maternity leave.

- Employees must take at least two weeks before the end of the week of the baby's expected birth and at least four weeks after.
- In the event of sickness of the employee (if this occurs during her last four weeks of maternity leave or if she is already on additional

maternity leave) the employee may request to end her maternity leave and that her absence from work is sick leave. The employee is not then entitled to revert back to take the untaken period of additional maternity leave.

- If the child (for whom the maternity leave has been taken) is hospitalised, the employee may request that her employer postpones her maternity/additional maternity leave and that she can return to work on an agreed date. The maternity leave may only be postponed where the employee has taken at least 14 weeks maternity leave, four of which are after the end of the week of confinement. The resumed maternity leave must be taken in one continuous block, referred to as 'resumed leave', to commence not later than seven days after the discharge of the child from hospital. The employee will be required to furnish appropriate evidence to her employer.
- An employee is entitled to paid time off to attend antenatal and post-natal medical appointments. The employee must provide the employer with notice of the appointments at least two weeks in advance and support this with appropriate documentation (e.g. an appointment card).
- Pregnant employees are entitled to paid time off from work for the purpose of attending one set of antenatal classes (other than the last three classes in such a set as these would normally occur after maternity leave has started). These classes may be attended during one or more pregnancies.
- Expectant fathers have a once-off entitlement to attend the last two antenatal classes, with pay, in a set of classes attended by the expectant mother.
- Fathers are only entitled to maternity leave if the mother dies within 24 weeks of the birth. In these circumstances, the father may be entitled to a period of leave, the extent of which depends on the actual date of the mother's death. Where a father qualifies for leave under these circumstances, he also has an optional right to the additional maternity leave.
- A breastfeeding mother is entitled to breastfeeding breaks, without loss of pay, where facilities for breastfeeding are provided in the workplace; or a reduction of working hours. The breastfeeding breaks apply to an employee up to 26 weeks after the date of confinement who has informed the employer of their intention to avail of the breaks. The breaks may be taken as follows: one break of 60 minutes; two breaks of 30 minutes each; three breaks of 20 minutes each; any other duration of the time as agreed by the employee and her employer.

An employee who chooses a reduction of working hours is entitled to identical periods, without loss of pay.

Minimum Notice Acts, 1973–2001

In brief

These Acts cover employees who have 13 weeks or more service, although there are certain categories to which these Acts do not apply. An employee's notice depends on the length of their continuous service. The Acts outline the required minimum notice for terminating employment, and also the rights of the employees and employers regarding periods of notice.

Length of Service	Minimum Period of Notice
13 weeks–2 years	1 week
2–5 years	2 weeks
5–10 years	4 weeks
10–15 years	6 weeks
15 years and over	8 weeks

Continuous service is usually calculated from the date of commencement of employment to date of termination. Length of service is calculated where an employee is expected to work eight hours or more a week.

An employer or employee may waive the right to notice and an employee may accept payment in lieu of notice. If an employee accepts payment in lieu of notice, the date of termination will be the date on which the notice would have expired. This option should be cited in contracts of employment. If employers indicate a specific notice period in their contract of employment, for example one month, this is acceptable.

Organisation of Working Time Act, 1997 (Rest Periods)

In brief

Employees are entitled to either:

- A break of 15 minutes for every 4 hours worked or
- A break of 30 minutes for every 6 hours worked

NB: not both.

Note: Employers should be aware that if they have a part-time employee who is working elsewhere, their accumulative hours should not exceed 48 hours per week. Weekly working time can be averaged out over a four, six or up to 12 month reference period. The reference period for the childcare sector would normally be a four month period. Employers are prohibited from employing employees to work on any day or during any week where the employee has worked for another employer(s), where the aggregate of the periods worked exceeds that permitted by legislation. Both the employer and the employee may be liable to prosecution if this legislation is breached.

Night workers are employees who normally work at least three hours of their daily working time during night time and the annual number of hours worked at night equals or exceeds 50 percent of annual working time. Night workers can work 48 hours per week averaged over two months or a longer period specified in a collective agreement, which must be approved by the Labour Court.

To ensure that both the employer and the employee are in compliance with the legal requirements, it is necessary for all employees to provide the service they are employed in with details of any other employment(s) in which they are engaged. Employees who are self employed are excluded as are some other categories.

Where employees may be working in two employments, they are entitled to be paid under public holiday entitlement by both employers should they meet the criteria.

Organisation of Working Time Act, 1997 Section III (Holidays/ Annual Leave and Public Holidays)

In brief

The statutory leave entitlement has been 20 days since 1 April 1999. Some childcare services provide a greater annual leave entitlement than the statutory minimum. Calculations of annual leave entitlements are as follows:

- Where staff are working more than 1,365 hours in a leave year they are entitled to four working weeks (i.e. 20 days) annual leave.
- If the number of hours worked by an employee is less than 1,365 hours, annual leave must be calculated on a monthly basis as follows:

- Where staff work at least 117 hours in a month they are entitled to $\frac{1}{3}$ of a working week for that month.
- Where staff work less than 117 hours they are entitled to 8 percent of the hours worked in the leave year, subject to a maximum of 20 days (four working weeks) per annum.

Note: Some employees will fall within each of the last two entitlements. Whichever calculation provides the employee with the greater entitlement should be applied (subject to the four working weeks maximum).

Leave can be calculated on a pro-rata basis where staff work part-time hours. For example, if 20 days is the full entitlement, and employee works four days a week, then they are entitled to 16 days leave (20 divided by 5 X 4 = 16). In the event that the employer requires an employee to take annual leave at a particular time, for example if a service is closed for a particular week/day, the employee must be provided with at least one month's notice before the proposed leave. This could also be outlined in the contract of employment.

Further information

For further details see *Personnel Practice in Early Years Services – A Guide* (Barnardos' National Children's Resource Centre, 2005)

Organisation of Working Time Act, 1997 Organisation of Working Time (Records) (Prescribed Form and Exemption) Regulations, 2001

In brief

The Regulations impose a duty on employers to keep records which show compliance with the provisions of the Act, and stipulate the manner in which these records should be recorded. The records to be retained are:

- Details of the days and total hours worked in each week by each employee.
- Annual leave and public holidays and the payment received in respect of that leave.

- 'Additional day's pay' paid to employees in respect of public holiday entitlements.
- A copy of any notice given to employees in relation to information about starting, finishing times and notice of additional working hours.
- The name and address, PRSI and a brief statement of duties (this can be a reference to a job description) of each employee.
- A copy of the statement of terms and conditions of employment given to each employee under the Terms of Employment Information Act, 1994 (i.e. contract of employment).

In the absence of 'clocking in' facilities, the employer must record the days and hours worked by each employee using a Form OWT1. Employers may design their own form as long as it contains the same information as the OWT1 Form.

Parental Leave Acts, 1998–2006

In brief

These Acts entitle an employee who is the natural or adoptive parent of a child to take unpaid leave from their employment for a period of 14 working weeks to take care of their child. The employee must have one year's continuous service with the employer from whom the leave is being taken. Where an employee has more than three but less than 12 months' service and where the child is approaching the age threshold, the employee will be entitled to one week for every month of continuous service with the employer.

Parental leave can be taken in respect of a child up to eight years of age. If a child was adopted between the ages of six and eight, leave in respect of that child may be taken up to two years after the date of the adoption order. In the case of a child with a disability, leave may be taken up to 16 years of age.

The 14 weeks per child may be taken in one continuous block or in separate blocks of not less than six weeks, with a gap of at least 10 weeks between blocks. An employee can request to separate the leave into periods of days or even hours at the discretion of the employer. An employee who is entitled to parental leave with regard to more than one child (except in the case of multiple births) will only be entitled to 14 weeks leave in a 12-month period, unless the employer agrees otherwise. In the case of multiple births, the entitlement is 14 weeks per child.

Part-time employees may take parental leave based on the number of hours worked in the previous 14-week period. An employee should give at least six weeks notice of their intention to avail of parental leave. Annual leave entitlement is retained for employees on parental leave.

There are various criteria regarding the administration of the request for parental leave that must be followed. More information is available from the Department of Enterprise, Trade and Employment.

Note: Employees on maternity, adoptive, or parental leave maintain their entitlement to public holidays for the duration of their absence.

Terms of Employment Acts, 1994–2001

In brief

These Acts set out the minimum information requirements that an employer must provide to an employee in a written statement of the terms and conditions of their employment no later than two months into their employment.

An employer may not substantially change the terms and conditions of an employee without the employee's consent. Where a change arises, for example if there is a salary increase, the employee should be notified in writing as soon as possible, but no later than a month after the change takes place.

Unfair Dismissals Acts, 1977–2007

In brief

The combined purpose of the Act is:

- To protect employees from being unfairly dismissed from their employment.
- To set out criteria by which a dismissal may be considered fair or unfair.
- To provide redress where such a dismissal is found to be unfair.

Applies to

All persons employing staff and in employment.

Further information

- Barnardos' National Children's Resource Centre (2006), *Grievance & Disciplinary Handbook for Childcare Providers*
- Byrne, M. (2005) *Personnel Practice in Early Years Services – A Guide* Second Edition (Barnardos' National Children's Resource Centre)
- National Employment Rights Authority

OTHER EMPLOYMENT LEGISLATION

There are a number of other pieces of legislation relevant to childcare practices employing staff and these are listed below. In all cases, please note that employment legislation is regularly reviewed and updated and employers are recommended to check frequently with the Department of Trade, Enterprise and Employment.

- Employment Equality Act, 1998
- Pensions (Amendment) Act, 2002
- Protection of Employees (Fixed Term Work) Act, 2003
- Protection of Employees (Part-Time Work) Act, 2001
- Protection of Young Persons (Employment) Act, 1996
- Redundancy Payments Acts, 1967–2003

Further information

- Byrne, M. (2005) *Personnel Practice in Early Years Services – A Guide*, Second Edition (Barnardos' National Children's Resource Centre)
- Citizen's Information Board
- Department of Enterprise, Trade & Employment
- Irish Business and Employers Confederation
- Irish Small and Medium Enterprises Association
- Small Firms Association
- Irish Congress of Trade Unions
- National Employment Rights Authority

Section three

HEALTH & SAFETY

This section includes: Health & Safety Regulations; Tobacco Regulations; Fire Regulations; Toy Safety; Infectious Diseases; Food Regulations.

Note: Rules for electrical and gas installations/appliances are included in Section 4.

HEALTH & SAFETY REGULATIONS

Safety, Health & Welfare at Work Act, 2005

Safety, Health & Welfare at Work (General Application), 2007

In brief

This Act aims to promote the health, safety and welfare of all in the workplace. It outlines the requirements for the control of health and safety at work as well as the roles and responsibilities of employers, the self-employed, employees and others.

It is the duty of management to:

- Manage and conduct all work activities to ensure the safety, health and welfare of people at work.
- Design, provide and maintain a safe place of work.
- Identify hazards and assess and prevent risks.
- Plan, maintain and, where appropriate, revise systems of work that are safe and without risk to health.
- Provide and maintain welfare facilities for employees in the workplace.
- Consult with employees on health and safety matters and provide them with relevant information and training.
- Appoint one or more competent persons to specifically advise the employer on compliance with the health and safety laws.
- Report workplace accidents to the Health and Safety Authority.
- Prepare a written safety statement.
- Display appropriate safety signs.

This Act also covers responsibilities of employees and others, such as ensuring that they are not under the influence of any intoxicant, reporting any defects in the work place that might endanger health and safety, participating in safety and health training etc.

The Health and Safety Authority is responsible for enforcing and promoting safety and health at work. The role of their Inspectors is to provide advice and information during the course of an inspection. However, they also have a wide range of enforcement powers, which can result in prosecution.

Applies to

The Act and Regulations apply to every workplace in Ireland.

Further information

- *Health and Safety in Childcare: A Guide for Centre-based Services*, Barnardos' National Children's Resource Centre, 2006
- Contact the Health and Safety Authority for publications such as *Guide to the Safety, Health and Welfare at Work (General Applications) Regulations 2007* and *Safety Signs at Places of Work and First Aid*
- Health and Safety Authority

TOBACCO REGULATIONS **Public Health (Tobacco) Act, 2002–2004** **(Sec. 47) Regulations, 2003**

In brief

Smoking has been prohibited in all workplaces in Ireland since March 2004.

Further information

- Office of Tobacco Control
- The Tobacco Unit, Department of Health and Children

FIRE REGULATIONS **Fire Services Act, 1981**

In brief

This Act applies to all premises used for instruction or recreation, teaching or training, and to premises used for any purpose involving access to the premises by members of the public, whether on payment or otherwise.

Persons in control of these premises are required to take 'all reasonable measures' to guard against the outbreak of fire on the premises. In the event of a fire occurring, they must further ensure 'as far as is reasonably practicable' the safety of the children and staff on the premises.

This broadly translates as ensuring the following are in place:

- Properly constructed buildings.
- Fire safety programme.

- Fire prevention measures.
- Staff training.
- Emergency procedures and evacuation drills.
- Written public notices of fire evacuation procedures.
- Maintenance of fire protection equipment.
- Maintenance of building services.
- Furnishing and fittings compliant with requisite safety standards.
- Adequate escape routes.
- Fire safety records.
- Fire safety register.
- Mains smoke alarms.
- Proper waste paper management.

Applies to

All services in Ireland. It would be good practice to apply these Regulations to school-age services also.

Further information

- Department of the Environment (1999) *Fire Safety in Pre-schools* (available to download from www.irishstatutebook.ie)

**Industrial Research and Standards (Fire Safety)
(Domestic Furniture) Order SI 316 of 1995**

Anyone manufacturing, selling or repairing furniture in Ireland is obliged to ensure materials used (including foams, fillings, coverings and frames) comply with safety standards. Specifically, furniture must pass the 'cigarette test'. This test proves that covers, foam and lining materials are not likely to go on fire by a lit match or a cigarette. All furniture passing this test should be clearly labeled to indicate that it complies with Irish fire safety laws. The National Standards Authority of Ireland checks that items comply with the law. If you think that a product is unsafe you should contact the Authority to report it.

The legislation covers furniture of any description that is ordinarily intended for use in a dwelling and includes beds and divans (including the bases and headboards of both), sofa beds, children's furniture, cots (including carry-cots, playpens, prams

and pushchairs and other articles of a like nature and use designed to contain a baby or small child), cushions, high chairs, mattresses and pillows but does not include bedding or floor coverings (including carpets and mats).

Further information

- Department of Environment, 'Code of Practice for Fire Safety of Furnishings and Fittings in Places of Assembly' Dublin: The Stationery Office (available to download from www.environ.ie)
- Irish standards can be accessed at www.standards.ie
- National Standards Authority of Ireland

TOY SAFETY

The European Communities (Safety of Toys) Regulations, 1990

In brief

Since 1990, legislation has been in place in Ireland which prohibits the placing of toys on the market unless they meet minimum safety requirements. This law is set down in S.I. No 32 of European Communities (Safety of Toys) Regulation, 1990. Specific rules also exist for ensuring the safety of children's products. For example, baby prams, pushchairs, pacifiers (soothers), cots and clothing. Playthings and equipment such as swings, slides, pencils and pens are also regulated. The National Standards Authority of Ireland (NSAI) develops standards governing safety, quality, design, performance etc. of specific products for sale in Ireland.

In addition, EU rules state that any product offered for sale in the EU that conforms with certain specific health, safety and environmental protection standards must carry a CE mark. The CE mark is a declaration by the producer that the product conforms to all the applicable EU legislation. If you suspect that a toy is unsafe you should contact the National Consumer Agency (NCA) who will investigate the matter.

Further information

- National Consumer Agency
- National Standards Authority of Ireland

INFECTIOUS DISEASES

Infectious Diseases Regulations, 1981–2004

In brief

These Regulations permit health authorities to take almost unrestricted measures to prevent the spread of infectious diseases. This includes diseases that might be food borne. The Regulations detail the illnesses that are notifiable to the Health Service Executive including Salmonella and Paratyphoid. Persons excluded from work as a result of being treated for certain infectious diseases may be paid an allowance by the HSE.

Further information

- Health and Safety Authority
- The appropriate Health Service Executive can be contacted for information; local General Practitioners can also provide information

FOOD REGULATIONS

Food Safety Authority Act, 1998

E.C. (Official Control of Foodstuffs) Regulations, 1998 (contained within the Food Safety Authority Act, 1998)

E.C. Hygiene of Foodstuffs Regulations, 2006 (S.I. No 369 of 2006)

In brief

The 1998 Act established the Food Safety Authority of Ireland and outlined its functions and responsibilities, which includes promotion of standards, and collection and assessment of data giving advice regarding food safety. The powers of the Authority to enforce food safety standards in food legislation is detailed with reference to the Official Agencies who will carry out inspections for the Authority in order to ensure compliance with food legislation, such as the HSE or the Local Authority.

The 1998 Regulations set out the various items that are subject to inspection by the health boards, now the Health Service Executive. These include the site; premises; offices; raw materials; semi-finished products; infestations of rats and mice; cleaners and materials coming into contact with foodstuffs. They also set out the frequency of inspections and powers of entry for Officers authorised under the Regulations.

The E.C. Hygiene of Foodstuffs Regulations, 2006 set down the obligations on owners of food businesses to ensure that the business is operated in a hygienic way. The rules of hygiene cover requirements for premises, rooms where food is prepared, foodstuffs, transportation, equipment, food waste, water supply, personal hygiene and training. Owners are also obliged to identify steps in the activities of the business that are critical to ensuring food safety and to ensure that adequate safety procedures are identified, implemented and reviewed (HACCP*). The Regulations also provide for the Food Safety Authority of Ireland to approve Guides to Good Hygiene Practice, which may be used voluntarily by food businesses as a guide to compliance with these Regulations.

* HACCP (Hazard Analysis and Critical Control Point) is a systematic approach to identifying and controlling hazards that could pose a danger to the preparation of safe food. It involves identifying what could go wrong and planning to prevent it. All staff involved in preparing and serving food should participate in the HACCP training.

Applies to

All childcare services where food is prepared. There is also a requirement to ensure that catering suppliers who provide food for the childcare service operate under the Regulations.

Further information

- Department of Health and Children (2004) *Food and Nutrition Guidelines for Pre-School Services*
- Food Safety Authority of Ireland (FSAI)

Health and Safety in Childcare: A Guide for Centre-Based Services, Barnardos' National Children's Resource Centre, 2006

Section four

BUILDINGS & ENVIRONMENT

This section includes Building Regulations; Planning Regulations; Water Supply Regulations; Electricity and Gas; and requirements regarding Radon Gas

Note: Fire Safety Regulations are in Section 3 Health and Safety.

BUILDING REGULATIONS

Building Control Act, 1990 and 2007

Building Regulations, 1997–2007

Building Control Regulations, 1997–2004

Note: All new buildings, material changes of use, material alterations and extensions to existing buildings must comply with the Building Regulations. Building Regulations do not apply to buildings constructed prior to 1992, however renovations and extensions to these buildings must comply.

Building Regulations provide for the health, safety and welfare of people in and about buildings, provide access for people with disabilities to the build environment and provide for the conservation of fuel and energy in relation to buildings. The Regulations are constantly being revised and updated.

The legislation governing the Building Regulations is set out above. Technical Guidance Documents (TGDs) are provided to give guidance on how to comply with the requirements of the Regulations. A Commencement Notice must be submitted to the local Building Control Authority (Local Authority) in advance of the work commencing.

A Fire Safety Certificate must be obtained before work can begin on all non-residential buildings.

Compliance with the requirements of the Building Regulations rests with the owners and builder of the building.

PLANNING REGULATIONS

Planning and Development Acts 2000–2006

**Planning and Developments Regulations, 2001
and 2006 (S.I. No 685 of 2006)**

**Planning and Development (No.2) Regulations,
2007 (S.I. 135 of 2007)**

Applies to

The responsibility for compliance with Building and Planning Regulations rests with designers, builders and building owners. Development consisting of the use of a house for childminding shall be exempted development for the purposes of the Act.

Further information

- Government of Ireland (2001) *Childcare Facilities: Guidelines for Planning Authorities*, Dublin: The Stationery Office
- National Children's Nurseries Association (2002) *We Like This Place. Guidelines for Best Practice in the Design of Childcare Facilities* Dublin: ADM
- The Building Control Authority (Local Authority) in whose administrative area the building is located
- Building Standards Section of the Department of the Environment, Heritage and Local Government
- Legislation and Technical Guidance Documents are available from the Department of Environment's website www.environ.ie or from the Government Publications Sales Office

**WATER SUPPLY REGULATIONS
European Communities (Drinking Water) (No. 2)
Regulations, 2007**

In brief

These Regulations specify standards in respect of water quality and include 48 parameters which must be adhered to. The Environmental Protection Agency (EPA) is the supervisory authority for public water supplies. These Regulations provide the EPA with powers to direct a local authority to improve the management or quality of a public water supply. The local authorities have a similar supervisory role in relation to group water schemes and private supplies. Under the Regulations, the local authority must notify the EPA of drinking water non-compliances or risk to public health from a public water supply. Service providers must ensure that they are connected to an approved water scheme.

Applies to

All childcare services.

Further information

- Contact the relevant Local Authority
- The Environmental Protection Agency

ELECTRICITY AND GAS

In brief

There are rules governing the installation and use of electrical and gas appliances and systems. Electrical installation, including wiring, sockets, switches and distribution boards, should be in accordance with the National Rules for Electrical Installations (ET 101), available from the Electro-Technical Council of Ireland. Electrical appliances should conform to standards set out in I.S. 205: Part 1: 1980: Safety of Household and Similar Electrical Appliances (General Requirements). Where commercial electrical catering equipment is used, it should comply with BS 5784: Safety of Electrical Commercial Catering Equipment. All gas installations, storage tanks, pipe lines, gas burning flues and other equipment should be installed, fitted and maintained in accordance with the appropriate standards including I.S. 813: 196: Domestic Gas Installations.

Applies to

All premises and workplaces.

Further information

- Electro-Technical Council of Ireland Ltd (2006) *National Rules for Electrical Installations* (3rd Edition)
- Electro-Technical Council of Ireland Ltd
- Code of Practice for Gas Installations - http://www.odca.ie/cfmdocs/c_query/safety_elec.cfm has details for electrical and gas appliances
- National Standards Authority of Ireland

RADON

Radiological Protection Act, 1991 (Ionising Radiation)

Order, 2000 (SI 125 of 2000)

In brief

Exposure to high radon levels may occur in the home, in school or in the workplace. Indoor radon levels vary greatly from one building to another and in some workplaces radon may be a significant source of occupational exposure to ionising radiation. Since May 2000, occupational exposure to natural radiation sources, including radon, has been subject to regulatory control in Ireland. This change is in line with the most recent revision to the Euratom Basic Safety Standards Directive (Council Directive 96/29/ EURATOM), which establishes a common basis for radiation protection legislation in all European Union Member States. The Radiological Protection Institute of Ireland (RPII) is the designated competent national authority for the purpose of the Order.

Applies to

All workplaces where there may be sources of radiation.

Further information

- Radiological Protection Institute of Ireland
- National Standards Authority of Ireland

Section five

FINANCE

This section includes Tax Regulations; National Minimum Wage Act; Payment of Wages.

TAX LEGISLATION

Income Tax Act 1967

Finance Acts 1967–2008

In brief

A childcare service is regarded as a small business for revenue purposes and the responsibility is on the owner to register with the Local Tax Office. Committee managed services, as required by every employer, should register as employers with the Local Tax Office. If the service operates as a limited company, it will be bound to comply with the Companies Act for tax purposes, and will need to prepare audited annual accounts (see page 42). There is a 'small companies' exemption which relaxes the filing obligations, where certain size criteria are met. A company can avail of 'small company' exemptions if two of the following three criteria are satisfied in respect of the financial year in question: the balance sheet total does not exceed a certain amount; the turnover does not exceed a certain amount; the average number of employees does not exceed a certain number (currently 50).

Staff members are responsible for giving their employer their tax credit certificate (obtainable through the Local Tax Office). The employer is responsible for deducting due tax from the employee and forwarding these monies to the Revenue Commissioners.

Services are advised to get professional guidance from a suitably qualified financial professional and, if registering as a limited company, will need to engage the services of an accountant and a registered auditor.

See also Taxes Consolidation Act, 1997.

Applies to

All childcare services as appropriate (self-employed, limited companies and committee managed). All employees of childcare services.

Further information

- Local Tax Office

NATIONAL MINIMUM WAGE

National Minimum Wage Act, 2000

In brief

This Act provides a set minimum rate of pay for employees. From 1 July 2007 the rate is €8.65 per hour. The basic method of calculation is to divide the gross pay by the number of hours worked, however, it is necessary to note what pay is taken into account, what hours are included as working hours and what is the pay reference period. For example, there are a number of items that may not be included in the minimum wage calculation, such as overtime payments.

There are some exceptions to those staff who are entitled to receive the minimum wages, for example a person employed by a close relative or people engaged in statutory apprenticeships. Some employees, for example young people, are entitled to a reduced minimum wage. Information on the types of course that qualify for a trainee rate of pay should be accessed under the National Minimum Wage (Prescribed Courses of Study or Training) Regulations, 2000.

Employers are obliged to keep records for a three-year period to ensure that they are meeting the requirements of the Act.

Further information

- www.citizensinformation.ie

PAYMENT OF WAGES

Payment of Wages Act, 1991

In brief

The Act regulates the payment of wages. Wages include the employee's basic pay, overtime payments, shift allowances, fees and bonuses paid as part of the contract of employment, holiday, sick or maternity pay, any other payment covered by the contract of employment and payment due to an employee in lieu of notice. The employee must receive a written statement of their wages each time a payment is made.

A change in the method of payment of wages can only be made with the prior consent of the employee. An employer may not make a deduction from an employee unless the deduction is required by law (i.e. tax/PRSI under statute or legislation) or authorised under the employee's contract or is made with the prior consent of the employee. This also applies to receipt of any payment from an employee. An employer may make deductions from an employee's wages in certain cases, further advice should be sought on this.

Further information

- Institute of Chartered Accountants in Ireland
- Institute of Accounting Technicians of Ireland
- Institute of Certified Public Accountants in Ireland

Section six

MANAGEMENT & GOVERNANCE

This section includes Companies Acts; Equality Legislation; Insurance Requirements; Freedom of Information; Data Protection and Charities Acts.

COMPANIES ACTS

Companies Acts, 1963–2006

In brief

The Companies Acts cover a number of areas, such as the legal aspects of establishing and running a company; the roles and responsibilities of directors; articles of association (by-laws of the company) and financial duties and responsibilities.

Applies to

All limited companies in Ireland.

Further information

- Local Tax Office
- Companies Registration Office

EQUALITY LEGISLATION

Equal Status Act, 2000 and 2004

Employment Equality Acts, 1998 and 2004

In brief

The Equal Status Act prohibits discrimination in the public arena where people buy goods, use services, obtain accommodation or participate in education on the nine grounds outlined below. The Act also allows for the investigation of a complaint of discrimination and remedy by the Equality Authority.

The Employment Equality Acts make express provision for employer liability and prohibition of harassment. It allows for positive actions to promote equality of opportunity and cater for special needs. The Employment Equality Acts outlaw direct and indirect discrimination in relation to employment. The Acts prohibit discrimination on the following nine grounds: 1. Gender; 2. Marital status; 3. Family status; 4. Sexual orientation; 5. Religion; 6. Age; 7. Disability; 8. Race; 9. Membership of the Traveller Community.

The Act covers employees including people employed through employment agencies and applicants for employment and training. It outlaws discrimination in all areas relevant to employment: discrimination by employers; in collective agreements; in advertising; by employment agencies; in vocational training;

by certain vocational bodies. There are three types of discrimination: Direct Discrimination, Indirect Discrimination and Discrimination by Association.

The Equality Authority provides information and has developed a code of practice to assist employers in meeting their statutory requirements in relation to Harassment and Sexual Harassment. The Health and Safety Authority and the Labour Relations Commission have also published codes of practice on developing anti-bullying and harassment policies.

Further information

- You can download an information guide to the Equal Status Acts 2000–2004 and a summary guide to the Employment Equality Acts 1998 and 2004 along with other relevant publications on www.equality.ie
- TRED Equal Project (2005) 'Opportunities for Change: Working with Diversity' published under the Community Equal Initiative from the European Social Fund.
- The Equality Authority of Ireland
- The Labour Relations Commission

INSURANCE REQUIREMENTS

Insurance companies stipulate minimum requirements. For example, a recommended requirement would be that sufficient adults are present on outings, i.e. one adult to each two pre-school children up to six years of age and one adult to three children between six and 12 years. An outing is regarded as anything off the premises, such as accessing local play areas. Transport in cars requires adequate insurance cover, whether on trips or for emergencies such as attending local doctor. Appropriate car seating should be in place, relevant to the age of the child being transported.

Regulation 30 of the Child Care (pre-school) Regulations, 2006 stipulates that a person carrying on a pre-school service must ensure that pre-school children attending the service are adequately insured against injury.

FREEDOM OF INFORMATION Freedom of Information Act, 1997–2006

In brief

This Act states that every person has the following legal rights:

- The right to access official records held by government departments or other public bodies listed in the Act.
- The right to have personal information held on them corrected or updated where such information is incomplete, incorrect or misleading.
- The right to be given reasons for decisions taken by public bodies that affect them.
- Regulations provide parents, guardians and next-of-kin with the above rights.

These rights mean that people can seek access to personal information held on them by the listed bodies no matter when the information was created, and to other records created after 21 April 1998.

People have a right to correct this information if it is inaccurate. With regard to child protection, the exemptions and exclusions that are relevant include the following:

1. Protecting records covered by legal professional privilege.
2. Protecting records which would facilitate the commission of a crime.
3. Protecting records which would reveal a confidential source of information.

Applies to

The records of organisations with whom Pobal have a Contract for Service are covered under the Freedom of Information Act.

Further information

- Office of the Information Commissioner
- Freedom of Information Central Policy Unit

DATA PROTECTION

Data Protection Acts, 1988 and 2003

In brief

Data protection concerns everyone's fundamental right to privacy. People are entitled to access and correct data about themselves. Providers need to be aware that these Acts cover any information they keep on file about a living person. It applies to data held on parents and children as well as employees. It applies to all written information, for example even 'stickies', which may have short notes made at recruitment interviews.

Data controllers have to comply with data protection principles. A data controller is someone who controls and is responsible for the keeping and use of personal information about living people on computer (note: the later Act includes manual data, such as in filing systems). Data controllers can be either individuals or 'legal

persons' such as companies. Sole traders, which cover many childcare services, are classed as individuals in this instance. Being a data controller carries with it serious legal responsibilities, so service providers should be quite clear if these responsibilities apply to them or their organisation. If in any doubt about the identity of the data controller in any particular case, providers should consult their legal adviser or seek the advice of the Data Protection Commissioner.

Applies to

Every person in Ireland is covered by the Act.
Every childcare service is a data controller.

Further information

- Office of the Data Protection Commissioner

CHARITIES ACTS

Charities Act, 1961 and 1973

In brief

These Acts cover aspects of legislation relating to charitable organisations. In April 2007, the Department of Community, Rural and Gaeltacht Affairs published a substantial Bill reforming charity law. Its main aim is to introduce Ireland's first comprehensive system of registration and regulation. While there is no set timeline for enactment of the Bill, the Department estimates that it will be passed in late spring of 2008.

The key features of the Charities Bill 2007 are to make provision for: the definition of charitable purpose; the establishment of a charities regulatory authority to be known as An tÚdarás Rialála Carthanas; the registration, regulation and protection of charitable organisations and charitable trusts; the duty to keep proper books of account and an annual statement of accounts; annual audit/examination of accounts; annual reports; public access of annual reports; persons disqualified for being trustees; investigations; and to provide for the establishment of a body to be known as the Charities Appeals Tribunal to hear appeals from decisions of the Charities Regulatory Authority.

Applies to

Charitable organisations.

Further information

- The Wheel (support, advocacy and leadership for community and voluntary activity)

Sources of further information

The organisations listed provide information on issues relating to grievance and discipline. Barnardos does not endorse any external agency listed and they are given for information purposes only.

Barnardos' Training and Resource Service

Christchurch Square, Dublin 8
T: 01 454 9699 E: resources@barnardos.ie
E: training@barnardos.ie
www.barnardos.ie

Border Counties Childcare Network

Unit 1 Od, M:TEK Building, Knockaconny,
Armagh Road, Monaghan
T: 047 72469 E: bccn@eircom.net
www.bccn.ie

Barnardos Vetting Service

The Bowling Green, White St, Cork
T: 021 4547060 E: vetting@barnardos.ie

Citizen's Information Board

7th Floor, Hume House, Ballsbridge, Dublin 4
T: 01 6059000 LoCall: 1890 777 121
E: information@citizensinformation.ie
www.citizensinformation.ie
(see website for information on local centres)

Companies Registration Office

Parnell House, 14 Parnell Square, Dublin 1
Tel 01 804 5200 LoCall: 1890 220 226
E: info@cro.ie www.cro.ie

Department of Enterprise, Trade & Employment

23 Kildare Street, Dublin 2
T: 01 631 2121 LoCall: 1890 220 222
E: info@entemp.ie

Department of the Environment, Heritage & Local Government

T: 01 8882000 www.environ.ie

Department of Health and Children

T: 01 6354000

Electro-Technical Council of Ireland Ltd

ETCI Offices, Unit H12, Centrepoint
Business Park, Oak Road, Dublin 12
T: 01 4290088
E: info@etci.ie www.etci.ie

Environmental Protection Agency

EPA Headquarters, PO Box 3000,
Johnstown Castle Estate, Co. Wexford
T: 053 9160600 Lo Call: 1890 335599
E: info@epa.ie www.epa.ie

Equality Authority

2 Clonmel Street, Dublin 2
T: 01 4173333 E: info@equality.ie www.equality.ie

Food Safety Authority of Ireland (FSAI)

Abbey Court, Lower Abbey Street, Dublin 1
T: 01 8171300
E: info@fsai.ie www.fsai.ie

Freedom of Information Central Policy Unit

Department of Finance,
73–79 Lower Mount St, Dublin 2
T: 01 6318258
E: cpu@finance.gov.ie www.foi.gov.ie

Garda Central Vetting Unit

Racecourse Road, Thurles, Co Tipperary
T: 0504 27300

Government Publications Sales Office

Sun Alliance House, Molesworth Street,
Dublin 2
T: 01 6476879
www.irishstatutebook.ie

Health and Safety Authority

The Metropolitan Building,
James Joyce Street, Dublin 1
T: 01 6147020 LoCall: 1890 289 389
E: wcu@hsa.ie www.hsa.ie

IPPA, the Early Childhood Organisation

Unit 4, Broomhill Business Complex,
Broomhill Rd., Tallaght, Dublin 24
T: 01 4630010 E: membership@ippa.ie
www.ippa.ie

Institute of Accounting Technicians of Ireland

83 Pembroke Rd, Dublin 4
T: 01 6377363
www.iati.ie

Institute of Certified Public Accountants in Ireland

9 Ely Place, Dublin 2
T: 01 6767353
www.cpaireland.ie

Institute of Chartered Accountants in Ireland

83 Pembroke Rd, Dublin 4
T: 01 637 7200
E: ca@icai.ie www.icai.ie

Irish Business & Employers Confederation (IBEC) (note: IBEC also have regional offices)

Confederation House,
84/86 Lower Baggot Street, Dublin 2
T: 01 6051500
www.ibec.ie

Irish Congress of Trade Unions

31/32 Parnell Square, Dublin 1
T: 01 8897777 E: congress@ictu.ie
www.ictu.ie

Irish Small & Medium Enterprises Association

17 Kildare Street, Dublin 2
T: 01 662 2755
E: info@isme.ie www.isme.ie

Labour Court

Tom Johnson House, Haddington Road, Dublin 4
T: 01 613 6666 E: info@labourcourt.ie
www.labourcourt.ie

Labour Relations Commission

Tom Johnson House, Haddington Road, Dublin 4
T: 01 6136700 E: info@lrc.ie www.lrc.ie

National Consumer Agency

4 Harcourt Road, Dublin 2
LoCall: 1890 432 432
http://www.consumerconnect.ie

National Employment Rights Authority

Government Buildings, O'Brien Road, Carlow
Lo-call: 1890 80 80 90
www.employmentrights.ie

National Standards Authority of Ireland

Glasnevin, Dublin 9
T: 01 8073800
E: nsai@nsai.ie www.nsai.ie

Office of the Data Protection Commissioner

Canal House, Station Road,
Portarlinton, Co. Laois
T: 057 868 4800 LoCall: 1890 25 22 31
E: info@dataprotection.ie www.dataprotection.ie

The Office of the Director of Consumer Affairs

4 Harcourt Road, Dublin 2
T: 01 402 5555 LoCall: 1890 432 432
www.odca.ie

Office of the Minister for Children (OMC)

Hawkins House, Dublin 2
T: 635 4000 E: omc@health.gov.ie
www.omc.gov.ie

Office of Tobacco Control

Willow House, Millennium Park, Naas, Co. Kildare
T: 045 852700
E: info@otc.ie www.otc.ie

Office of the Information Commissioner

18 Lower Leeson St, Dublin 2
T: 01 639 5689 LoCall: 1890 223 030
E: info@oic.gov.ie www.oic.gov.ie

The Ombudsman for Children

Millennium House,
52-56 Great Strand Street, Dublin 1
T: Lo-call 1890 654 654 or 01 8656800
E: oco@oco.ie www.oco.ie

Pobal

Holbrook House, Holles Street, Dublin 2
T: 01 240 0700
F: 01 661 0411
E: enquiries@pobal.ie www.pobal.ie

Radiological Protection Institute of Ireland

3 Clonskeagh Square, Clonskeagh Road,
Dublin 14
T: 01 2697766
E: rprii@rprii.ie www.rpii.ie

Small Firms Association

84-86 Lower Baggot St, Dublin 2
T: 01 6051500
E: info@sfa.ie www.sfa.ie

The Tobacco Unit

Department of Health and Children
T: 01 6354000

The Wheel

Irish Social Finance Centre,
10 Grattan Crescent, Inchicore, Dublin 8
T: 01 454 8727
E: info@wheel.ie