

National Childcare Scheme (NCS)

Compliance Post Inspection Rectification Actions for Service Providers

Following a NCS Compliance Inspection, service providers will receive a Compliance Notification, via the Hive, alerting them to the availability of the inspection report and outcomes. For each check conducted the inspection report will outline the:

- final compliance outcome (Compliant/Non-Compliant),
- reason for outcome,
- required rectification action (if applicable) and
- details of any comments, claim corrections and/or calendar closure adjustments recorded on the day of the inspection.

For any compliance infringement identified which resulted in a non-compliant outcome, the service will be required to take rectification action on the issue identified and make a commitment to comply with the NCS requirements going forward. All rectification actions must be taken and reported on through the Hive within the required timeframe. This will be outlined within the report under the title 'Rectification Due Date'. All rectification actions will then be verified by Compliance and each non-compliant outcome will be determined as 'Rectified' or 'Not Rectified',

Where a service fails to rectify a non-compliance outcome within the required timeframe¹, then a sanction may be imposed. Where issues in relation to the adequacy of attendance records are not rectified, then a financial correction may be applied i.e. zero or minimum hours of attendance applied to claims from the date of the compliance outcome notification to the date of the follow up visit, and/or ending of relevant claims.

The table below outlines all possible non-compliant outcome reasons and the relevant rectification action which will be required of the service to ensure no financial corrections and/or sanctions are imposed.

	Non-Compliant Outcome Reasons	Rectification Action for Provider
PRE-REQUISITES		
1.	Service Provider did not facilitate the inspection – 1 st occurrence	<ul style="list-style-type: none"> • Facilitate future compliance inspections immediately
2.	Service Provider did not facilitate the inspection – 2 nd occurrence	<ul style="list-style-type: none"> • Facilitate any future compliance inspections
SERVICE CALENDAR		
3.	Service Provider is not displaying the most up to date Calendar within the Service in an area accessible to parents	<ul style="list-style-type: none"> • Display the most up to date calendar at the service immediately.

¹ This document makes reference to deadlines for rectification actions, follow up visits, applying sanctions, etc. It should be noted that these are all included with the caveat, that if an appeal of a review decision is received, the compliance process is paused, and these deadlines are adjusted accordingly.

		<ul style="list-style-type: none"> • Upload photographic evidence on the Hive of the calendar on display in the service within 30 calendar days of notification using the upload/create button. • Complete self-declaration within the compliance report on the Hive within 30 calendar days of notification.
4.	Service Provider has not published its most up to date Calendar on its online platforms	<ul style="list-style-type: none"> • Publish the most up to date calendar on all online platforms maintained immediately. • Upload photographic evidence on the Hive of the calendar published online within 30 calendar days of notification (e.g. screenshot of calendar online and URL link) using the upload/create button. • Complete self-declaration within the compliance report on the Hive within 30 calendar days of notification.
PARENTAL AGREEMENTS		
5.	Signed Parental Agreements, dated within the last 12 months, not on file for all current registered children (< 100% ≥ 90% available)	<ul style="list-style-type: none"> • Ensure all parental agreements are signed and dated within the last 12 months and on file within 30 calendar days of notification • Upload copies of signed parental agreements, identified as not signed/on file at initial inspection, on the Hive within 30 calendar days of notification using the upload/create button • Complete self-declaration within the compliance report on the Hive within 30 calendar days of notification. • NB All relevant parental agreements should be uploaded at the one time before completing the self-declaration.
6.	Signed Parental Agreements, dated within the last 12 months, not on file for all current registered children (< 90% available) – Conditional Follow Up	<ul style="list-style-type: none"> • Ensure all parental agreements are signed and dated within the last 12 months and on file within 30 calendar days of notification. To be reviewed at an on-site follow up inspection.
7.	Signed Parental Agreements, dated within the last 12 months, not on file for all current registered children (< 90% available) – Submit Evidence	<ul style="list-style-type: none"> • Ensure all parental agreements are signed and dated within the last 12 months and on file within 30 calendar days of notification. • Upload copies of signed parental agreements, identified as not signed/on file at initial inspection, on the Hive within 30 calendar days of notification using the upload/create button. • Complete self-declaration within the compliance report on the Hive within 30 calendar days of notification. • NB All relevant parental agreements should be uploaded at the one time before completing the self-declaration.

8.	Parental Agreements not up to date with respect to fees indicated on the Hive	<ul style="list-style-type: none"> • Ensure all parental agreements contain all relevant information including accurate fee details, within 30 calendar days of notification. • All updated parental agreements must be signed by the applicant and on file. • Complete self-declaration within the compliance report on the Hive within 30 calendar days of notification.
9.	Parental Agreements not up to date with respect to number of childcare hours child is registered for on the Hive	<ul style="list-style-type: none"> • Ensure all parental agreement forms contain all relevant information including number of childcare hours child is registered for on the Hive, within 30 calendar days of notification. • All updated parental agreements must be signed by the applicant and on file. • Complete self-declaration within the compliance report on the Hive within 30 calendar days of notification.
10.	Parental Agreements not complete with regards to indicating the number of childcare weeks agreed for each child	<ul style="list-style-type: none"> • Ensure all parental agreement forms contain all relevant information including the number of childcare weeks agreed for each child, within 30 calendar days of notification. • All updated parental agreements must be signed by the applicant and on file. • Complete self-declaration within the compliance report on the Hive within 30 calendar days of notification.
11.	Parental Agreements not complete with regards to notifying the parent of the service's commitment to offsetting the subsidy in full against the agreed fee	<ul style="list-style-type: none"> • Ensure all parental agreement forms contain all relevant information including a commitment to offset the subsidy in full against the agreed fee, within 30 calendar days of notification. • All updated parental agreements must be signed by the applicant and on file. • Complete self-declaration within the compliance report on the Hive within 30 calendar days of notification.
FEES LIST		
12.	Service Provider is not displaying the most up to date Fees List (from the Hive) within the Service in an area accessible to parents	<ul style="list-style-type: none"> • Display the most up to date fees list at the service immediately. • Upload photographic evidence on the Hive of the fees list on display in the service within 30 calendar days of notification using the upload/create button. • Complete self-declaration within the compliance report on the Hive within 30 calendar days of notification.
13.	Service Provider has not published its most up to date Fees List (from the Hive) on all its online platforms	<ul style="list-style-type: none"> • Publish the most up to date fees list on all online platforms maintained immediately.

		<ul style="list-style-type: none"> • Upload photographic evidence on the Hive of the fees list published online within 30 calendar days of notification (i.e. screenshot of fees list online and URL link) using the upload/create button. • Complete self-declaration within the compliance report on the Hive within 30 calendar days of notification.
14.	Fees List per the Hive does not comply with programme requirements	<ul style="list-style-type: none"> • Update fees list on the Hive immediately to comply with programme requirements and ensure correct/updated version is displayed in the service, and published online if applicable. • Upload photographic evidence on the Hive of updated fees list on display in the service, and published online if applicable within 30 calendar days (e.g.. screenshot of fees list displayed and URL link if applicable) using the upload/create button. • Complete self-declaration within the compliance report on the Hive within 30 calendar days of notification.
FEE RECORDS		
15.	Records in relation to fees not available for inspection on site	<ul style="list-style-type: none"> • Ensure all fee records for all current children are available on site immediately. • Complete self-declaration within the compliance report on the Hive within 30 calendar days of notification.
16.	Fee records not adequate to allow compliance to be checked	<ul style="list-style-type: none"> • Ensure all fee records for all current children are maintained in an adequate format to allow compliance to be checked immediately. • Complete self-declaration within the compliance report on the Hive within 30 calendar days of notification.
PARENTAL CO-PAYMENT		
17.	Co-payment charged to parent/guardian in excess of fees list	<ul style="list-style-type: none"> • Ensure all co-payments charged are in line with the Hive registered Fees List amounts. • Review all co-payments charged to parents/guardians and reimburse any parents/guardians that have been overcharged. • Complete self-declaration within the compliance report on the Hive within 30 calendar days of notification.
18.	Service has charged a co-payment for sponsored children	<ul style="list-style-type: none"> • Ensure no co-payment is charged to any parent/guardian of sponsored children immediately. • Review records of all sponsored children and reimburse the parents/guardians of any sponsored children who were charged any co-payment.

		<ul style="list-style-type: none"> • Complete self-declaration within the compliance report on the Hive within 30 calendar days of notification.
ATTENDANCE RECORDS		
19.	Attendance records for prior periods do not exist (e.g. destroyed, lost or never kept)	<ul style="list-style-type: none"> • Attendance records to be maintained immediately and in the required format that will allow compliance to be checked. To be reviewed at an on-site follow up inspection within 20 working days from notification.
20.	Records in relation to attendance were not available for inspection on day of <u>initial inspection</u> Note: this outcome reason will not be issued to the provider until a revisit has been conducted	<ul style="list-style-type: none"> • Retrieve records immediately. To be reviewed at an on-site <u>revisit</u> inspection within 5 working days of initial inspection.
21.	Records in relation to attendance were not available for inspection on day of <u>revisit</u>	<ul style="list-style-type: none"> • Attendance records to be maintained immediately and in the required format that will allow compliance to be checked. To be reviewed at an on-site <u>follow up</u> inspection within 20 working days of notification.
22.	Attendance records not adequate to allow compliance to be checked	<ul style="list-style-type: none"> • Attendance records to be maintained in the required format that will allow compliance to be checked immediately. To be reviewed at an on-site follow up inspection within 20 working days of notification.
23.	Attendance records available but some gaps/inadequacies identified	<ul style="list-style-type: none"> • Attendance records to be immediately maintained in the required format that will allow compliance to be checked. • Complete self-declaration within the compliance report on the Hive within 30 calendar days of notification.
OVERCLAIMS		
24.	Hive returns were not reflective of all absenteeism and/or leavers	<ul style="list-style-type: none"> • Ensure all future returns on the Hive are submitted based on actual attendance. • Complete self-declaration within the compliance report on the Hive within 30 calendar days of notification. <p>Note: any claims corrections recorded to be actioned by Pobal.</p>
25.	Hive returns were not reflective of all under attendance of 8 to 12 weeks	<ul style="list-style-type: none"> • Ensure all future returns on the Hive are submitted based on actual attendance. • Complete self-declaration within the compliance report on the Hive within 30 calendar days of notification.

26.	Hive returns were not reflective of all under attendance of greater than 12 weeks	<ul style="list-style-type: none"> • Ensure all future returns on the Hive are submitted based on actual attendance. • Complete self-declaration within the compliance report on the Hive within 30 calendar days of notification. <p>Note: any claims corrections recorded to be actioned by Pobal.</p>
27.	Incorrect claims identified with regard to start dates of children	<ul style="list-style-type: none"> • Ensure all future returns on the Hive are submitted based on actual start dates. • Complete self-declaration within the compliance report on the Hive within 30 calendar days of notification. <p>Note: any claims corrections recorded to be actioned by Pobal.</p>
28.	Ineligible claims identified as child/ren did not take up place	<ul style="list-style-type: none"> • Ensure all future returns on the Hive are submitted based on actual attendance. • Complete self-declaration within the compliance report on the Hive within 30 calendar days of notification. <p>Note: any claims corrections recorded to be actioned by Pobal.</p>
29.	The Hive claims were incorrect with regards to facility the children are attending	<ul style="list-style-type: none"> • Ensure all future returns on the Hive are submitted based on actual attendance in the facility. • Complete self-declaration within the compliance report on the Hive within 30 calendar days of notification. <p>Note: any claims corrections recorded to be actioned by Pobal.</p>
CLOSURES		
30.	Registered service calendar on the Hive is not up to date – i.e. does not reflect all identified <u>paid</u> closure days	<ul style="list-style-type: none"> • Update calendar on the Hive immediately, in relation to <u>paid</u> closures, and ensure correct/updated version is displayed in the service, and published online if applicable. • Upload photographic evidence of updated calendar using the upload/create button. • Complete self-declaration within the compliance report on the Hive within 30 calendar days of notification.
31.	Registered service calendar on the Hive is not up to date – i.e. does not reflect all identified <u>unpaid</u> closure days	<ul style="list-style-type: none"> • Ensure the calendar on the Hive reflects all subsidised and unsubsidised closures going forward. • Complete self-declaration within the compliance report on the Hive within 30 calendar days of notification. <p>Note: any claim corrections (from calendar closure adjustments recorded) to be actioned by Pobal</p>