

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015CC006
--------------------------	-------------

Name of Service:	ABC Academy
-------------------------	-------------

Address of Service:	Chapel Road, Kilworth, Fermoy, Co. Cork
----------------------------	---

Eircode:	P61 C434
-----------------	----------

Name of Registered Provider:	Keith Lynch
-------------------------------------	-------------

Service type:	Sessional
----------------------	-----------

Date(s) of Inspection:	24/11/2023
-------------------------------	------------

No of pre-school children:	AM	30	PM	N/A
-----------------------------------	----	----	----	-----

Address of the Early Years Inspectorate:	Early Years Inspectorate, 13 Market Square, Mallow, Co Cork
Inspection undertaken by:	F Collins
Title:	Early Years Inspector

Authority to Inspect

The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(J) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).

Conditions if applicable	N/A
---------------------------------	-----

Description of service

ABC Academy is a privately owned sessional service based in the village of Kilworth, North Cork and situated at the back of the local catholic church.

The service offers a sessional service from 9.20am to 12.20pm daily for children aged from 2 to 6 years.

The service is also registered to provide school aged childcare.

The premises is purpose-built and has a large car park to the front of the premises which allows for the safe drop off and collection of the children attending.

The premises consists of an entrance, an office, a kitchen, four large playrooms (two of which are used for the pre-school service and two for the school aged service).

The outdoor area is to the rear and the side of the premises which is enclosed by high fencing.

Staffing

There are 10 adults working in the service. Nine of the adults work directly with the children. The adults that work directly with the children hold a major award in Early Childhood Care and Education from Level 5 to Level 8 on the National Qualifications Framework.

Methodology

Tusla's Early Years Inspectorate is the independent statutory regulator of early years services in Ireland. The Child Care Act 1991 (Early Years Services) Regulations 2016 define the duty of a registered provider to ensure the safety and well-being of children and to comply with these regulations. This Act also gives Tusla the authority to assess compliance with the regulations. The purpose of regulation in relation to early years services is to ensure that the care, safety, and well-being of children attending such services is upheld. Inspections of early years services are planned based on the following:

- Previous inspection history
- Any information received in relation to the service

The findings on inspection are based on:

- Information obtained through examination of documentation
- Direct observation
- Discussion with relevant staff

This inspection was unannounced and focused on the area of governance/ health, welfare and development of child/ safety/ premises and facilities. The inspection may also focus on other areas as required.

Inspection findings are documented in the inspection report which is first issued in draft format to the service with an opportunity to respond to any findings. Where statutory requirements are identified as not being met, the registered provider must demonstrate how they have rectified the non-compliance and will prevent any non-compliance from re occurring. The Corrective Action and Preventive Action plan (CAPA) will be used to inform decisions about compliance with regulatory requirements. Where the registered provider fails to meet the statutory requirements an escalation process may be commenced.

The inspectorate reserves the right to edit responses received for reasons including clarity, completeness and compliance with administrative and legal processes.

The contents of the report are compiled by the inspectorate body.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered provider, person in charge, staff and children who were present on the day of the inspection.

Part III – Management and Staff

Regulation 9 – Management and recruitment

(1) A registered provider shall ensure that-

- (a) the service has a designated person in charge and a named person who is able to deputise as required,*
- (b) at all times during the period when the pre-school service is being carried on, the designated person in charge or the named person referred to in subparagraph (a) is on the premises, and*

(2) A registered provider shall ensure that each employee, unpaid worker and contractor is suitable and competent taking into consideration the nature of the needs of children, including by-

- (a) consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,*
- (b) consideration of references from reputable sources in the case of a person who has no past employers,*
- (c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the person, and*

(d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.

(4) A registered provider shall ensure that, without prejudice to the generality of paragraph (2) and subject to paragraphs (5) and (6), each employee working directly with children attending the service holds at least a major award in Early childhood Care and Education at Level 5 on the National Qualifications Framework or a qualification deemed by the Minister to be equivalent.

Compliance Information

- (1)
- (a) The service had a named person in charge and a named deputy person in charge on the premises. On the morning of inspection, the person in charge was the registered provider.
- (b) During the operation of the service the person in charge and the deputy were on the premises as confirmed by the staff roster.
- (2) There were seven adults working directly with the children in the service on the day of inspection, with the registered provider managing the service and facilitating the inspection process.
- For the ten adults working in the service all ten staff files were inspected.
- (a) Of the twenty references required sixteen were available from past employers, fifteen of these references were validated as required.
- (b) Four references were available from a source other than a past employer. Three of these references were validated.
- (c) Ten Garda vetting verifications were available on file.
- (d) Police vetting was required by two staff and there was police vetting on file for one staff member that required same.
- (4) All staff working directly with the children were appropriately qualified at levels 5 to 8 in Early Childhood Care and Education on the National Qualifications Framework or held a qualification deemed by the minister to be equivalent.

Non-Compliance Information

- (2) (a) One of the references on file from a past employer was not validated.
- (b) One reference on file from a source other than a past employer was not validated.
- (d) Police vetting was not on file for one staff member that had resided outside of the jurisdiction for greater than 6 consecutive months.
- Not appropriately vetting staff prior to commencement in the service may allow staff who are not appropriate to work with children have access to the children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (2) (a) & (b) Both references have been validated. The registered provider has committed to ensuring all references will be validated prior to staff commencing in the service.
- (d) The curriculum vitae for the staff member requiring police vetting has been updated to reflect the times the person spent in another country outside of Ireland, on assessment of the curriculum vitae this person does not require police vetting.

Supporting documentation submitted

- (2) (a) & (b) Both references validations have been received and are correct.
- (d) The updated Curriculum Vitae has been received and police vetting is not required.

Summary Comment

Following receipt of the corrective and preventive actions and the evidence submitted the requirements for this Regulation have been met.

Part III – Management and Staff

Regulation 11 - Staffing levels

- (1) Subject to this Regulation, a registered provider shall ensure that there is at all times an adequate number of adults working directly with the children attending the pre-school service.*
- (2) Subject to paragraphs (4) and (5), a registered provider of a full day care service or a part-time day care service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 1 of Schedule 6 opposite a particular reference number specified in column (1) of that Part in respect of the age range of the children specified in column (2) thereof at that reference number is satisfied.*

Compliance Information

- (1) There were appropriate numbers of staff available at all times throughout the operation of the service to meet the care and education needs of the children.
- (2) Montessori room 1 had four staff working with 12 children aged 2-3 years.
Montessori room 2 had three staff working with 18 children aged 3-5 years.

Part IV – Information and Records

Regulation 15 – Record of pre-school child

- (1) *A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:*
- (a) *the name and date of birth of the child;*
 - (b) *the date on which the child first attended the service;*
 - (c) *the date on which the child ceased to attend the service;*
 - (d) *the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;*
 - (e) *authorisation for the collection of the child;*
 - (f) *details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;*
 - (g) *the name and telephone number of the child’s registered medical practitioner;*
 - (h) *record of immunisations, if any, received by the child;*
 - (i) *written parental consent for appropriate medical treatment of the child in the event of an emergency.*
- (3) *A record in writing referred to in paragraph (1) or (2) shall be open to inspection on the premises by-*
- (c) *an authorised person.*

Compliance Information

- (1) (a)- (i) The requirements for the details outlined in the above were available for each child as assessed in the 14 records sampled between the two care rooms.
- (3) (c) The records as outlined above were available for inspection by an authorised officer.

Part IV – Information and Records

Regulation 16 – Record in relation to pre-school service

(1) A registered provider shall ensure that a record in writing is kept of the following information in relation to the service:

- (h) details of attendance by each pre-school child on a daily basis;
- (i) details of staff rosters on a daily basis;
- (k) details of any accident, injury or incident involving a pre-school child attending the service.

Compliance Information

- (1) (h) The details of the attendance of each child were recorded daily on the attendance list for each care room. Time in and out were recorded.
- (i) The details of the staff roster were maintained on the same sheet as the sign in/out for the children and the staff also signed in/out daily.
- (k) The last eight records of accidents and incidents which occurred in this academic year were assessed and each record was completed including the details of the incident and the signatures of the staff and parents/guardians.

Part V - Care of Child in Pre-school Service

Regulation 19 - Health, welfare and development of child

(1) A registered provider shall, in providing a pre-school service, ensure that-

- (a) each child's learning, development and well-being is facilitated within the daily life of the pre-school service through the provision of the appropriate activities, interaction, materials and equipment, having regard to the age and stage of development of the child, and

Compliance Information

Basic Needs

- The needs of the children when eating and drinking were met, there was a set time for snack time and the children appeared to be aware of this and came in from outside for snack time. Drinks were available from each child's own water bottle and children had access to these when indoors.
- The snacks eaten in the service were provided by parents/guardians. The snacks observed on the day of inspection were appropriate and nutritional.

- The children attending the service that were toilet trained were observed to toilet independently. Some children were provided with assistance if required. Children in nappies were changed on a routine or if needed.
- Childrens personal care was attended to and the children were dressed appropriately in outdoor clothing and wellingtons that were appropriate for the cold weather.
- The children were able to move about freely and they were observed to choose where they played and with whom they played with.
- The needs of a child who was not able to concentrate on tabletop activities or on indoor activities was supported by a staff member and was taken outside of long periods to allow them to self-regulate and play with ride on toys. Later in the morning this child was noted to be comfortable indoors and sat with their peers to eat snack.
- The care room temperature of Montessori room 1 was recorded at 18.9°C and in Montessori room 2 was recorded at 19.9°C, these temperatures were in keeping with comfortable ranges of 18-22°C.

Supporting Relationships

- The staff sat with the children at the different tables and assistance was given as needed with table-top activities and with snacks.
- The children were observed to seek assistance from the adults when they required assistance and were observed to engage with the staff both indoors and outside.
- The children who were not able to communicate effectively by speech were supported in their communication to indicate their needs.
- Transitions from indoors to outside was supported by giving the children adequate notice of the transition and were encouraged to sing 'clean up' songs to ensure each child was aware of the transition.
- Children with additional needs that had support through the Access and Inclusion Model scheme had inclusion plans available for both medical and social needs where applicable where each child plan was in place to support their inclusion, care and their development.
- Parents and guardians were spoken with at drop off and collection daily, had little notes placed in the lunch boxes and when required the registered provider spoke with the parents especially for the children who required additional support and assistance.

- Children who required support were observed to find this through the use of family walls in each care room where the children were observed to remove the family photograph and feel connection with their family while they were attending the service.
- Children in Montessori room 2 had a small birthday party for one of the children, birthday songs were sung and the child in question was observed to be delighted with the attention and activity as were all of the children.

Physical And Material Environment:

- The room layout in each of the rooms allowed for the children to access materials and equipment that they independently chose.
- Gross motor play was developed through access to the outdoors with running, and ride on toys, climbing on steps to the slide or climbing over tyres. Inside the children participated in large movement activities with circle time and songs that required actions, this was observed in Montessori room 2.
- Speech and language development was seen to be supported in both care rooms, at circle time and story time where each child got to talk and participate in the stories and songs. Children had stories read to them in small or large groups.
- Fine motor development was observed to be developed through table top activities of building blocks and bricks and through colouring.
- The rest areas were observed to be used by the children who wanted to opt out of activities.
- The children attending Montessori room 1 had access to a sensory tent where they could climb into and relax away from the activities within the care room.

Outdoor play:

- The service followed a programme of activities which included indoor and outdoor play.

The outdoor play which was observed allowed the children to run around, ride on push cars, bicycles and play motorbikes. There were mud kitchen areas, areas for water play and swings. Children could learn how to balance using the balance beams available. All the activities were used by the children.

The children from both Montessori groups 1&2 played together outside.

Part V - Care of Child in Pre-school Service

Regulation 22 – Food and drink

A registered provider shall ensure that adequate and suitable, nutritious and varied food and drink is available for each pre-school child attending the pre-school service.

Compliance Information

The snacks eaten by the children attending the service were provided by the parents/guardians. The food appeared to be adequate in quantity and nutritious in content. Each child was offered water to drink with their snack.

Part VI - Safety

Regulation 23 - Safeguarding health, safety and welfare of child

A registered provider shall ensure that all reasonable measures are taken to safeguard the health, safety and welfare of a pre-school child attending the service and that the environment of the service is safe.

Compliance Information

General Safety:

- The front entrance to the service was secured with the external door locked by an electromagnetic lock. The doors to the Montessori rooms were secured by locks with a thumb turn locking mechanism. No child could gain unauthorised access to the outside carpark and no unauthorised adult could gain access to the service.
- The doors to the storage areas and to the kitchen were locked and accessible to the staff only.
- The fire exits were unobstructed and easily opened on the day of inspection.
- The window openings were out of the reach of the children and there were no blinds on the windows.
- There were no hot drinks consumed in the service during its operation.
- All toys were in good condition with no pinch or crush points noted.
- Cleaning and disinfection products were stored in a locked area out of reach to the children.
- No loose or exposed electric cables were evident in the care rooms.
- Hand over to parents at the end of the session was observed in Montessori room 1 to be managed by two staff where one staff member ensured the child was handed over to the correct person and the second staff member ensuring the children went to the door one by one.

Infection Control:

The service followed best practice guidelines in the management of the spread of infection:

- The tables were cleaned before and after snack time with a cleaning product suitable for use with children.
- There was hot water in the care room and in the children's and adult toilets. Liquid hand soap and paper hand towels were available at all sinks to ensure the children and staff could wash their hands as required.
- Pedal operated lidded bins were available for the disposal of waste such as tissues and hand towels.
- The children's snacks were stored in a fridge to prevent contamination and potential illness from perishable items contained in the snacks.
- The children were observed to wash their hands after outdoor play and when coming in from outside.
- All coats and bags were stored off the ground and did not pose a risk of contamination or cross infection.

Fire Safety:

- The fire extinguishers were not accessible to the children.
- The fire exit door was not obstructed by furniture or by an incorrect locking system.

Outing:

- No outings were undertaken.

Non-Compliance Information

General Safety:

1. The soft matting outdoor area at the side of the building was lifting, the matting consisted of squares of soft matting placed together, these squares were lifting at the sides and were sticking up. This poses a risk of tripping to the children and adults using this area.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. The registered provider has committed to temporarily resetting the soft matting over the Christmas break and a more permanent solution is planned for the Easter break to ensuring the matting is suitable and not posing a trip hazard.

Supporting documentation submitted

General Safety:

1. The commitment as given by the registered provider on the corrective and preventive action form is accepted. Photographs of the soft matting that has been reset will be submitted when completed.

Summary Comment

The requirements for this Regulation has been met, this will be reviewed at the next inspection.

Part VI - Safety

Regulation 25 - First aid

(1) A registered provider shall ensure that a person trained in first aid for children is, at all times, immediately available to the children attending the pre-school service.

(2) A registered provider shall ensure that a suitably equipped first aid box for children-

(a) is safely stored in an easily accessible and conspicuous position on the premises, and

(b) is available to the children attending the pre-school service at all times.

Compliance Information

(1) There were seven staff certified in basic first aid training available to the children at all times.

(2) There was a first aid box for children available in both care rooms with additional resources available in the kitchen when needed.

(a) The first aid box was in a high press in both care rooms.

(b) The first aid box was available to the children at all times.

Non-Compliance Information

(1) No staff member held up to date certification as a First Aid Responder. Not having staff up to date with appropriate first aid training may hinder the appropriate treatment given to a child in the event emergency is required.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1) The registered provider has provided evidence that he is sourcing FAR First aid training however as per the response on the corrective and preventive action submission this training is not available over the Christmas period and provisional times of January/February are set to deliver this training.

Supporting documentation submitted

(1) Evidence of the communication between the registered provider and the FAR trainer has been received.

Summary Comment

The requirements for this Regulation has been met, this will be reviewed at the next inspection

Part VI - Safety

Regulation 26 - Fire safety measures

- (1) A registered provider shall ensure that a record in writing is kept of-
- (a) any fire drill that takes place in the premises, and
 - (b) the number, type and maintenance record of fire fighting equipment and smoke alarms in the premises.
- (2) The record referred to in paragraph (1) shall be open to inspection by-
- (c) an authorised person.
- (4) A notice of the procedures to be followed in the event of fire shall be displayed in a conspicuous position in the premises.

Compliance Information

- (1) (a) The service had a record of all fire drills carried out in the service. The last fire drill took place on the 22.11.2023 and evidence that monthly fire drills were carried out were available.
- (b) The fire alarms were last serviced on 28.08.2023 and a record of same was available. The fire extinguishers were last serviced in October 2023 and a certificate of this was available for inspection.
- (2) (c) The above records were available for inspection by an authorised officer.
- (4) The procedures to be followed in the event of an emergency were displayed in the service.

Part VI - Safety

Regulation 28 - Insurance

A registered provider shall ensure that the pre-school service is adequately insured.

Compliance Information

The registered provider had an insurance certificate indicating that the service was insured to operate as a sessional service and to accommodate 44 pre-school children at any one time. The insurance expires on 27.03.2024.