

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015CC101			
Name of Service:	Clonakilty Kindergarten			
Address of Service:	Lady's Cross, Cloheen, Clonakilty, Co. Cork			
Eircode:	P85 CK85			
Name of Registered Provider:	Jessica Farr			
Service type:	Part Time			
Date of Inspection:	10/04/2024			
No of pre-school children:	AM	21	PM	10
Address of the Early Years Inspectorate:	Early Years Inspectorate Administration Building St Mary's Health Campus Gurrabraher Cork T23X440			
Inspection undertaken by:	V. McCarthy			
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
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Description of service

Clonakilty Kindergarten is a community operated service situated in a residential area close to Clonakilty town. The service has 2 care rooms namely the Big room and the Small room. There is a designated outdoor play area provided to the rear of the premises. Clonakilty Kindergarten operates as a part-time service that also caters for children attending sessional and Early Childhood Care and Education Scheme (ECCE). The service caters for early years children aged 2 years to 6 years. The opening hours are between 9am to 2pm daily and between 12.30 to 2.30pm on Mondays and Tuesdays.

Staffing

There are 6 adults attached to the service of which 5 work directly with the early years children. The registered provider is not service based.

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.

The inspection focused on an examination of compliance under regulations 9, 11, 20, 27, 28 and 29 however, on inspection an additional non-compliance which posed a risk was identified under Regulation 23. These findings are outlined within the relevant regulations within this report.

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 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 that could deputise as required.
- (b) The person in charge was on duty when the inspector arrived at the premises and remained on duty for the duration of the inspection.
- (2)
- (a) There were 11 references and required validations available on file from past employers in respect of the 6 adults attached to the service.
- (b) There was 1 reference and required validation in respect of 1 adult from a source other than a past employer.
- (c) A Garda vetting disclosure was available on file for review in respect of each of the 6 adults. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every 3 years in respect of each adult.
- (d) Police vetting was available in respect of 3 adults that had lived outside the jurisdiction for a period of more than 6 consecutive months.
- (4)
- A copy of a childcare qualification as listed on the National Qualifications Framework or letters of eligibility were available on file in respect of 5 of the adults. The registered provider was not service based and did not work directly with the children.

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.*
- (8) Without prejudice to paragraphs (2) to (7)-*
- (a) a registered provider of a pre-school service other than a child-minding service or a sessional pre-school service shall ensure that there are at least 2 adults on the premises at all times,*

Compliance Information

- (1) The person in charge ensured that there were an adequate number of adults always working directly with the children.
- (2) On the day of the inspection there were 4 adults working directly with 21 early years children. The adult child ratio exceeded the requirement of 1: 11.
- (8)(a) There were always at least 2 adults on the premises during the hours of operation. The roster demonstrated that the 4 qualified adults were on the premises prior to 9am and that there would be 3 adults on the premises when the service closed.

Part V - Care of Child in Pre-school Service

Regulation 20 – Facilities for rest and play

(1) Subject to this regulation, a registered provider shall ensure that-

(b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.

Compliance Information

(1)(b)

The service provided part time care to children aged over 2 years. During the inspection, each child was aged over 3 years of age and the person in charge informed the inspector that no child looks for a sleep. However, should a child require a sleep, the person in charge showed the inspector a sleep facility consisting of a sleep mat, clean linen and sleep bag. The person in charge stated that if used these would be washed after use and then be stored away until next required. There were soft child sized couches and soft floor matting in both the Big and Small rooms for any child to access should they require a rest or quiet time. The inspector noted that the children that played with dolls or soft toys used the rest area as a space to engage in gentle play and time away from more robust activities.

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 main door leading into the premises was maintained secure to prevent the unauthorised access by a person or the leaving of an unsupervised child.

Non-Compliance Information

General Safety:

- Unauthorised access by a person onto the premises, by opening the 2 gates that led into the outdoor play area, was not prevented. The inspector was easily able to pull across the bolt attached to 1 gate and lift the hook that was attached to the second gate and enter in to the outdoor play area and then onwards to the 2 care rooms easily. There were 21 children and 3 adults in the outdoor area at the time and the fourth adult was in the building.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

- The person in charge informed the inspector on 11 April 2024 that she has taken steps to ensure that any unauthorised entry by a person into the outdoor play area, while children are playing outdoors, is now prevented.

Supporting documentation submitted

General Safety:

- The person in charge stated in a written response dated 11 April 2024 that a secure lock has been fitted to 1 of the gates. Two photographs of the newly fitted lock were submitted to the inspectorate for review.

Summary Comment

The documentation and photographs submitted by the person in charge relating to the non-compliance were reviewed and deemed to meet the regulatory requirements.

Part VI - Safety

Regulation 27 – Supervision

A registered provider shall ensure that pre-school children attending the service are supervised at all times.

Compliance Information

The adult child ratio at the premises exceeded the requirements during the inspection, there were 4 adults working directly with 21 children. It was observed that visible supervision of the early years children by the 4 adults, who each had a child care qualification, was maintained whilst the children participated in both indoor and outdoor activities. During the inspection, there were up to 4 children that required individual time and care and this was provided in a kind and sensitive manner by the adults who spoke softly to the children and listened carefully to what each child had to say.

Some of the older children were able to use the toilet independently and were supported by the adults as required who prompted them regarding good hand hygiene practice. Other children were supported with their play activities such as building a road track for dinky car racing or having picture stories read to them.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

The services' insurance certificate was available on the premises and demonstrated that the service was adequately insured. The information provided on the insurance certificate included details of the number of early years children covered which was 28, the start date, which was 28 March 2024, the end date, which was 27 March 2025, the category of service covered which was Part Time Day care and the name and address of the premises. The insurance cover also referred to details regarding, contents, public liability and fire and theft cover.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-
(e) equipped with adequate and suitable sanitary facilities.

Compliance Information

(e)

There were 3 toilet cubicles for children's use on the premises of which 2 were adjacent to the Big room and 1 was adjacent to the Small room. Each of the toilets was accompanied by a wash hand basin. There was 1 toilet and wash hand basin for adult's use on the premises. There was a supply of liquid soap and a dispenser filled with disposable paper towels beside each wash hand basin for hygienic handwashing and hand drying. The hot water was thermostatically controlled and during the inspection the water temperature was recorded at 27.4 °C at the wash hand basin beside the Big room, 26°C at the wash hand basin beside the Small room and 25.9°C at the wash hand basin used by the adults for hand washing. Pedal operated bins fitted with lids were provided throughout the premises for the disposal of used paper towels.