

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015CC151
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<b>Name of Service:</b>	Jolly Tots Playschool
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<b>Address of Service:</b>	Fermoy Community Resource Centre Ltd, 42 McCurtain Street, Fermoy, Co. Cork
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<b>Eircode:</b>	P61 T267
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<b>Name of Registered Provider:</b>	Seamus Ahern
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<b>Service type:</b>	Sessional
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<b>Date of Inspection:</b>	05/11/2024
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<b>No of pre-school children:</b>	AM	8	PM	4
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<b>Address of the Early Years Inspectorate:</b>	13 Market Square, Mallow, Cork. P51 DD5Y
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<b>Inspection undertaken by:</b>	E. Friel
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<b>Title:</b>	Early Years Inspector
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### 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).

<b>Conditions if applicable</b>	N/A
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### Description of service

Jolly Tots Playschool is a community based early years care and education sessional service in operation since 2011. The service is registered to accommodate children aged from 2 to 6 years of age, children currently attending are aged from 2 years 6 months to 6 years of age. The Early Childhood Care and Education (ECCE) Scheme is facilitated in the morning from 9:00 until 12 noon and in the afternoon from 12:30 to 15:30, Monday to Friday, 38 weeks of the year.

Jolly Tots Playschool is located in the centre of the town of Fermoy in East County Cork. It operates from a care room located on the first floor of Fermoy Community Resource Centre, off which there is a children's sanitary area. There is an office in use by the service on the same floor and a nappy changing room is located on the ground floor. The service has access to a secure outdoor play area located at the rear of the service.

### Staffing

There are four adults currently employed to work directly with the children; one of whom is employed under the Access and Inclusion Model (AIM) to provide additional assistance in the room, and another is both a staff member and a Community Employment participant. 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 and safety. 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 manager, deputy, 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*
- (c) there is a clear management structure in the service that identifies the lines of authority and accountability in the service and the specific roles and responsibilities of each employee and unpaid worker.*

*(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 registered provider ensured that there was a designated person in charge and named persons available to deputise.
  - (b) The staff roster indicated that either the designated person in charge or deputy and a named person were on the premises while the pre-school children were present.
  - (c) A management structure was available in the service and staff were aware of their roles and responsibilities.
- (2) Recruitment files were reviewed for all five adults including the registered provider;
- (a) (b) There were six validated references from past employers and four validated references from sources other than past employers.
  - (c) Garda vetting disclosures from the National Vetting Bureau were available for all five adults. However, the service did not adhere to the re-vetting time frames as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. Please refer to the information outlined under regulation 23 of this report.
  - (d) There were two international police disclosures on file for two adults who lived outside of Ireland for a period of six months or longer, as adults.
- (4) All four adults working directly with the children held a major award in Early Childhood Care and Education at Level 5 or above on the National Qualifications Framework.

### 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.*
- (3) Subject to paragraph (5), a registered provider of a sessional pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 2 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) therefore at that reference number is satisfied.*

#### Compliance Information

- (1) There were, at all times, an adequate number of adults working directly with the children attending the morning and afternoon sessions.
- (3) The adult child ratio was maintained at all times. There were eight children in attendance in the morning and four children in attendance in the afternoon, both sessional groups were supervised by two adults and a C.E. participant.

### 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) All sixteen records of the pre-school children attending the service were reviewed. The following particulars were found to be compliant; (1) (a) to (i) above.

(3) The children's pre-school records were reviewed by the inspector on the premises.

## 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:

- Snack provided by the parents/guardians was observed to be healthy and nutritious in both the morning session served at 10:00 and in the afternoon session. Children were observed eating filled sandwiches, spring rolls, crackers, yogurt and a variety of fruits.
- Each child had access to personalised equipment; an individual water bottle and a personalised mat on which to place their food which had a photograph of each child. The water bottles were easily accessible from a basket on a nearby shelf.
- Children with dietary requirements were supported to actively participate in snack time, with staff encouraging the children to try their snacks at various intervals.
- The inspector noted that one child sitting longer at the snack table than the other children, who had finished snack, was given sufficient time to eat without being rushed.
- Older children were observed accessing the sanitary area independently while younger children who required nappy changing were facilitated by the adults after snack and as required. Adults were available to provide assistance.
- Spare clothing was available for children in the event of an accident. A staff member observed dealing with a child who had wet clothing was observed to be sensitive and caring in their interactions with the child.

- The weather on the day of inspection was damp, children observed playing in the outdoor play area were appropriately dressed in coats, hats and boots in keeping with the weather.
- Children had the opportunity to rest or relax with soft seating in the form of a child size vinyl sofa. Age and stage appropriate books were positioned nearby on a book rack.

### **SUPPORTING CHILDREN'S RELATIONSHIPS:**

The inspector observed that staff listened and responded to children's individual needs. Examples included;

- A child who expressed the need to remain in the outdoor play area, in the mud kitchen, after the others had gone back inside, was accommodated by a staff member who remained with the child until they were ready to come indoors.
- Multiple strategies were successfully employed consistently by a staff member to manage children's behaviour. These included guiding and supporting children to express negative emotions, that did not harm themselves or others, and supporting children to gain control of their physical impulses. The staff member was observed offering a wide choice of calming techniques such as stomping, blowing out pretend candles and counting slowly from 1-10. In addition, the staff member spoke about playing cooperatively with friends and explained that we use gentle hands. During these interactions the staff member was noted to be calm and respectful in their interactions with the children.
- All children were observed to be actively encouraged by staff to participate in activities. Materials and resources were available which accommodated each child's individual needs. Examples included a poster made by staff with photographs and corresponding words of activities available within the care room to facilitate children for whom English was not their first language, this was observed in use on the day. In addition, resources including physical equipment were in use to ensure an inclusive environment where all children could sit comfortably and participate in table top activities.
- Communication with parents/guardians was observed at drop off and collection with staff heard exchanging information regarding the children's day. Staff stated they also use a group and individual messaging application, email and phone.
- Staff stated that meetings with management occur on a monthly basis. Minutes of monthly staff meetings recorded on 10 October 2024 and 26 August 2024 were furnished to the inspector and included topics such as; planning of activities and themes, concerns around children, observations, new staff in the community centre and feedback from Garda.

### PHYSICAL AND MATERIAL ENVIRONMENT:

- The care room was laid out in clearly defined areas with resources and equipment which were suitable for the age and stage of development of all of the children in the service.
- Materials and resources were age and stage appropriate and available in baskets on low-lying shelves. These were easily accessible and offered choice and promoted independence.
- Tables and chairs were set out to offer the choice of children participating in group or solitary activities.
- The secure outdoor play area provided an alternative environment for all of the children who were observed playing outdoors on the day of inspection. A covered area was available to facilitate outdoor play in all weathers. A range of developmentally appropriate equipment was available which offered opportunities for challenge and safe risk. Examples included children observed running on the all-weather artificial grass and a slide was available for climbing up and sliding down. Equipment including a wooden car, made to measure for the number of children attending the sessional service, and a mud kitchen were available to encourage imaginary play, while a sand box provided opportunities for sensory activities. New equipment including a caterpillar tunnel and children's cycling helmets were noted in use since the last inspection.

### PROGRAMME OF ACTIVITIES:

- Observations and learning journals were available which documented the children's activities, needs and interests. Staff stated these are shared with parents and were noted to be linked to Aistear, the curriculum framework.
- Children's language development was supported through one-to-one discussions, pictures matched with corresponding words, storytelling and singing of theme related songs. All of which were observed throughout the inspection.
- Children were observed being facilitated to make their own choice in selecting play equipment and activities they wanted to engage with.

### 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 door of the care room was secured, preventing unauthorised adults from entering the service. The ground floor exit door, leading outdoors, was secured with a keypad from the outside and a release button from the inside, placed out of reach of the children, preventing unsupervised children from leaving the building.
- Both windows in the service were fitted with restrictors preventing children from falling or exiting from them.
- A handrail, suitable for the age and stage of development of the children attending the service, was fitted on the stairs, allowing the children to safely navigate both the going up and coming down of the stairs in the community building.
- All toys and equipment appeared to be well maintained and in good working order.
- Heavy storage cupboards were anchored preventing them from falling or tipping onto the children.
- All indoor waste and recycling was stored in pedal operated bins.
- Cleaning agents were stored in a high cupboard which was locked, this was located in the children's sanitary area.
- A kettle was stored securely in the kitchen, a separate room located down the stairs, which was not accessible by the children.
- A water temperature record was in use in the downstairs nappy changing area, this was noted to be completed and up to date, ensuring the water temperature was not above the recommended limit of 43°C.
- The perimeter of the outdoor play area was secured on three sides with high stone walls and on the entrance side with high panelled fencing. In addition, spring bolted gates were noted in the area, all of these measures were in place to prevent children from exiting the area unsupervised and unauthorised adults from entering the outdoor play area.

### Infection Control:

- Wash hand basins in use by the adults and the children were supplied with thermostatically controlled hot water of 35.2°C, dispensing soap, paper towels, and pedal operated bins for the disposal of paper waste.
- Hygienic handwashing was observed before and after food, and after toileting and coming in from outdoor play.
- Children's coats were stored on hooks in the entrance area and their bags were stored on shelving in the care room off the floor area.
- Cleaning rosters in the children's sanitary areas and in the nappy changing area were noted to be complete and up to date.
- Staff were observed wearing single use disposable gloves and aprons for each nappy change. The changing mat was sanitised after use and the staff member, and the children, washed their hands after nappy changing.
- Hygienic and safe infection control practices were observed with staff observed sweeping the floors to ensure the area was kept and sanitising the tables after use.
- Tissues were available for nasal hygiene; staff assist children when required.

### Administration of Medication:

- Temperature reducing medication, stored in its original container, was stored on a high shelf out of reach of the children.
- Medication, necessary for a child with a chronic illness, was available if required.

### Safe Sleep:

- No children were observed sleeping in either session.

### Fire Safety:

- Fire extinguishers were available and secured to the walls with brackets.
- The fire assembly point was visible on the wall opposite the front of the service.
- The main fire exit door leading out of the service, down the main staircase, was unobstructed.

### Outing:

- The manager stated that outings take place which align with the service's outings policy. The inspector observed that outings are covered by the service's insurance policy.

## Non-Compliance Information

### General Safety:

- (1) Garda vetting was available for all five adults. However, one vetting disclosure was not dated within the previous three years in adherence with the Early Years Inspectorate Regulatory Notice 'EYI- RN12.3 Renewal of Garda Vetting'.
- (2) The inspector observed a trailing phone cable hanging from the wall, posing a safety risk to children playing on the floor nearby. In discussion, the manager was unaware that the phone cable was not secured.
- (3) A door in the care room leading to an outdoor stairway was not secured appropriately, posing a safety risk to the children.

## Action submitted by the Registered Provider

### Corrective & Preventive Action

The following statements were received from the manager;

### General Safety:

- (1) A Garda vetting application was submitted, and a disclosure is now on file for the adult for whom it was required. The dates of vetting have been filed. In future, Garda vetting will be applied for within a three year period.
- (2) The phone has been removed and is now in the office. All cables have been secured.
- (3) The door has been secured and is no longer in use. An alternative door is available and is in use by the adults and the children.

### Supporting documentation submitted

The following documentation and photographic evidence was received in the office of the inspectorate;

### General Safety:

- (1) A copy of a Garda vetting disclosure for the adult for whom it was required.
- (2) A photograph of the phone in the office and the cables secured.
- (3) The statement from the manager has been accepted and a photograph of the door in use was received.

## Summary Comment

The actions taken by the manager have addressed the non-compliances identified under Regulation 23.

## 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) Certificates were on file to evidence that two staff members were trained as First Aid Responders (FAR); one of whom was available at all times. In addition, one staff member had a basic first aid certificate and another had a certificate in paediatric first aid.

(2)

(a) (b) The well stocked first aid bag was stored within easy reach of the adults in the care room on a shelf behind the care room door and was available at all times.

## 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 firefighting 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) Written records of the fire drills that took place in the service were furnished to the inspector. The last date recorded was noted as 23 October 2024 with previous monthly drills recorded as 10 October and 30 September 2024.
- (b) Written records were available of the servicing of the firefighting equipment and the smoke alarms. The firefighting certificate was dated 14 March 2024, and the smoke alarm certificate was dated 20 February 2024.
- (2)
- (c) The records referred to in paragraph (1) were available on the premises for review by the inspector.
- (4) The fire procedures notice was displayed on the emergency fire exit door of the service.

## Part VI - Safety

### Regulation 28 - Insurance

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

## Compliance Information

The service was insured. Written records of insurance documents were furnished to the inspector which included the following details;

- The contact details of the insurance company
- The name and address of the service
- The number of children for whom the service is insured: 8
- The type of service: Sessional