

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015CC159
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<b>Name of Service:</b>	Happy Out Pre-School
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<b>Address of Service:</b>	Unit 4, Charleville Business Park, Bakers Road, Charleville, Co. Cork
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<b>Eircode:</b>	P56 YW90
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<b>Name of Registered Provider:</b>	Sylvia Fahy, Kate Gaffney
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<b>Service type:</b>	Sessional
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<b>Date(s) of Inspection:</b>	01/05/2024
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<b>No of pre-school children:</b>	AM	16	PM	N/A
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<b>Address of the Early Years Inspectorate:</b>	13 Market Square, Mallow, Co. Cork.
<b>Inspection undertaken by:</b>	F Collins
<b>Title:</b>	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).

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

Happy Out pre-school is a sessional service located on the outskirts of Charleville. The service is provided from a commercial unit in Charleville Business Park.

The premises comprises of a large entrance lobby, a sessional room, a smaller adjacent playroom and adult and child sanitary facilities. The service has an outdoor play area to the side of the premises.

There is adequate parking to the front of the building to facilitate safe drop off and collection and the children enter the premises via the side gate.

The hours of operation are from 09.30 - 12.30 daily and for 38 weeks of the year. The service offers a registered school aged service.

### Staffing

The service is staffed by three adults. All staff in the service hold appropriate qualifications in early childhood education and care.

### 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 and the person in charge, the staff and children who were present on the day of the inspection.

## Part II - Registration and Register

### Regulation 8 - Notification of change in circumstances

*(1) A registered provider of a pre-school service other than a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 60 days before it is proposed that the change would take effect.*

### Non-Compliance Information

- (1) The registered provider did not notify the agency of the following changes to the register for the service:
1. The name of the person in charge.
  2. The opening hours of the service.

### Corrective & Preventive Action submitted by the Registered Provider

## Corrective and Preventive Action

- (1)
1. The name of the person in charge has been updated via the change in circumstances process.
  2. the opening time of the service has been updated on the national register via the change in circumstances process.
- The registered provider has committed to ensuring the service details are correct on the national register and will update as required.

## Supporting documentation submitted

- (1) A copy of the change in circumstances acceptance from Tusla registration office has been received.

## Summary Comment

The requirements for this Regulation have been met.

## 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.

*(3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.*

*(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) There was a named person in charge in the service when the inspector arrived and remained in the service for the duration of the inspection.

(b) The roster indicated that the person in charge was onsite during the operation of the service.

(2) There were three staff employed in the service.

All three staff files were assessed.

(a) All six references required were available from past employers. References were validated as required.

(b) Not applicable as all references were available from past employers.

(c) Garda Vetting was available for all three staff and had been obtained within the last three years. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(4) All three staff were appropriately qualified between Level 5 and Level 8 on the National Qualifications Framework. One adult had obtained the Leadership for Inclusion (LINC) Level 6 special award.

### Non-Compliance Information

(2) (d) Police vetting was not available for the one staff member that had resided outside of the country for greater than six consecutive months. Not ensuring staff are appropriately vetted may allow an adult who is not suitable work with children and have access to them.

(3) The Garda Vetting had not been obtained prior to an adult commencing work within the service. Not ensuring staff are appropriately vetted prior to starting work with children may allow staff that may not be suitable have access to children.

### Corrective & Preventive Action submitted by the Registered Provider

## Corrective and Preventive Action

- (2) (d) The staff member who required police vetting has sought same from the appropriate authority. The registered provider has updated the recruitment policy to ensure that all staff that require police vetting will have same assessed prior to them starting in the service.
- (3) The registered provider has committed to ensuring that all staff will be Garda vetted prior to them commencing in the service.

## Supporting documentation submitted

The commitment provided by the registered provider is accepted as proof that the police vetting is being obtained.

The recruitment policy has been received.

## Summary Comment

The requirements for this regulation not been met due to the police vetting not being received and this will be assessed on the next inspection.

## Part III – Management and Staff

### Regulation 10 - Policies, procedures etc. of pre-school service

*A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.*

## Compliance Information

The following three policies were assessed and were up to date and in keeping with best practice.

- The infection control policy, this policy was comprehensive and had a detailed account of what to do in the event of an outbreak of an infectious disease when children who were not immunised were attending the service.
- The healthy eating policy.
- The accident and incident policy.

### 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.*

*of the age range of the children specified in column (2) thereof at that reference number is satisfied.*

#### Compliance Information

- (1) The person in charge ensured that there were adequate staff working in the service at all times to meet the needs of the children in attendance.
- (3) The person in charge ensured that the minimum ratio of adults to children was maintained. There were three adults working directly with 16 children attending the sessional service on the day of inspection. One of the adults was employed under the Access and Inclusion Model Scheme to provide additional support in the service.

### 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) There were 23 children enrolled in the service of which 16 children were attending the service on the day of the inspection. Eleven enrolment records of the children in attendance on the day of inspection were reviewed.
- (a) – (i) The enrolment forms were complete and up with date with all details as outlined above and with parents/guardians and the person in charges signatures recorded on the enrolment forms for all children.
- (3) (c) The records as outlined above were available and open for inspection by the early years inspector.

### 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;*
- (j) details of any medication administered to a pre-school child attending the service with signed parental consent;*
- (k) details of any accident, injury or incident involving a pre-school child attending the service.*

#### Compliance Information

- (1)
- (h) The details of attendance by each pre-school child on a daily basis was maintained on the services care application.
  - (i) The details of staff rosters were maintained and the staff worked the same hours weekly.
  - (j) There were no records of administration of medication as none had been administered in the service.
  - (k) The details of any accident, injury or incident involving a pre-school child attending the service with a paper record reviewed and other incidents being reported to parents/guardians recorded on the care application for the parents to acknowledge and review.

### 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 service promoted healthy eating and the children ate their snack together and each group of children had an adult supporting them who sat with them during their meal.
- Children had access to their drinks of water throughout the session and were encouraged to drink at snack time.
- Cutlery was provided as appropriate for snack time and when asked for by the children.
- No child in the service required nappy changing on the day of inspection. Children who required help with going to the toilet received assistance.
- Any child who required assistance with hand washing was supported with same.
- The children's personal cleanliness was cared for and the children were noted to have their noses cleaned as needed and were reminded to wash their hands after this. A dispenser for tissues was placed on the wall so the children were able to access these easily.
- Sleep was not provided for in the service and children who chose to opt out and rest could be facilitated to do so in the quiet area at the front of the care room under the window, children were observed to use this area and chat in small groups while they lay on cushions.
- Children were allowed to choose their activities inclusive of art activities, tabletop activities and floor-based activities while staff moved around supporting the children but allowing them to choose and play with whom and what they wished.
- The children's mobility was not hindered at any time and the children could move about freely.
- A child who required assistance with integration into the group and additional assistance was provided with this support as needed. This child had an access and inclusion plan to ensure their needs were met.

#### Supporting Relationships Around Children

- The same adults worked in the service daily and the children were observed to be comfortable with them and sought out their assistance as required.
- When a child got upset, they were shown the pictorial plan of the day and were shown that when and after what activities they would be going home. This appeared to sooth the child and allowed them to continue with their activities.
- The adults were relaxed when speaking with the children and there were no raised voices noted during the inspection.

- The staff team appeared to work well together.
- Staff operated in partnership with parents as demonstrated with the conversation at drop off and collection.  
The staff also communicated with parents/guardians via the services care application system in use.

### Physical And Material Environment:

- The indoor environment consisted of two care rooms. The main room had child height tables and chairs where the children were observed to eat and do their arts and crafts and other tabletop activities. There were open shelving units that were accessible to the children and at their height. There was a supply of varied equipment such as arts and crafts for fine motor development, Imaginary games with butterflies for imaginary play and at story time when stories were being told the children.
- At the top of the room the children had access to the quieter area and to books.
- The lobby area and the second care room were observed to be used when a staff member needed to reduce the environmental stimulation for a child, when they were becoming overwhelmed. Appropriate toys and resources were available to assist these children.
- The smaller care room was resourced with dress up clothes, home based activities and a puppet theatre, all resources were to stimulate the imaginations of the children.
- The service demonstrated a language rich environment with stories being told, books being read and good interactions being noted with the children. The children were supported with their language development and were spoken to on a one-to-one basis as required.
- The materials and equipment were easily accessible to the children and the artwork previously completed by the children was displayed in the service.

### The Outdoor Environment:

- The outdoor environment was developed at the side of the premises and was covered with artificial grass and tarmacadam. The area is partially covered with an awning to ensure it is able to be used when the weather is poor. The area was developed with wall-based activities, gardening activities and musical activities. The outdoor area was used on the day of inspection when the children arrived on the morning and prior to the children going home in the afternoon. A sand tray for sensory play is available but was not being used on the day of inspection.

### 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 served in the service were provided by parents/guardians. The food provided by the parents/guardians was in keeping with healthy food choices and included fruit/vegetables, sandwiches, crackers, filled bread rolls and yogurts. Water was the only drink available in the service

### 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 service was secured by a high gate at the side which was used for entry/exit and inside this there was a second gate so when the outer gate was open during drop off and collection the children were not able to gain unsupervised access to the car parking area. The main door into the service was secured with an appropriate lock. This prevented unauthorised exit by any of the children to the car parking area and prevented unauthorised access to the children by any adult.
- The windows were at a height that could not be reached by the children.
- There was no staircase in the service.
- All toys and equipment observed on the day of inspection were in good condition and free from any pinch or crush points.
- There was no heavy furniture at a height that could tip over on to the children observed.
- The electric flexes observed were in good condition and out of reach of the children.
- The storage facilities were inaccessible to the children.
- There were no hot drinks consumed in the service.
- There was no kettle available to the service.

##### Infection Control:

- The children were observed to wash their hands as appropriate after messy play, when coming in from outside, after using the toilet and before snack time.
- The paper towels used following hand washing were disposed of in lidded bins that were pedal operated.
- There was hot water accessible in all of the sinks that was thermostatically controlled. The hot water in the children's toilets was recorded at 40.6 and 39°C respectively. The hot water in the adult toilets was recorded at 37.6°C. There was liquid hand soap and paper towels available at all sinks.
- The snacks provided to the service were stored in the fridge following arrival and before snack time preventing the growth of bacteria on perishable items.
- The tables where the children were eating were cleaned with appropriate disinfectant prior to the children having their snack.
- School bags were stored off the ground on a trolley preventing contamination.

#### Administration of Medication:

- No medication had been given to a child this academic year.

#### Safe Sleep:

- The service operates as a sessional service and does not offer children the facilities to sleep during the three-hour sessional service.

#### Fire Safety:

- The fire exit door was unobstructed throughout the inspection.
- The firefighting equipment was safely tethered to the wall.

#### Non-Compliance Information

##### General Safety:

1. A child had whole cherry tomatoes in their lunch box and these were not cut by the staff until requested to do so by the inspector. Not cutting food appropriately may pose a risk of choking to a child.

##### Infection Control:

2. The seat on the stationary bicycle in the main care room was torn exposing foam underneath, this was not easily cleaned and posed a risk of contamination and cross infection.
3. The countertop in the main care room had an area cut out which then exposed the chipboard base, this porous wood surface is not easily cleaned and poses a risk of cross infection.

#### Action submitted by the Registered Provider

### Corrective & Preventive Action

#### General Safety:

1. It has been communicated with parents/guardians to chop and quarter all foods that pose a choking risk. At a staff meeting it has been agreed that all lunchboxes are checked by the teacher sitting at the table for snack. The staff member will ensure that should the boxes contain food that poses a risk of choking, the teacher will act promptly and chop the food appropriately.

#### Infection Control:

2. The seats on the exercise bicycle have been covered with another bicycle seat cover which is removeable and washable and is also wipeable. When the covers are being removed to be laundered the exercise machine will be removed otherwise it will be wiped with disinfectant.
3. The countertop has been sealed with plaster and has been painted with a washable paint.

### Supporting documentation submitted

#### General Safety:

1. A screenshot of the reminder text to parents has been received.

#### Infection Control:

2. A photograph of the seat covers on the exercise bicycles has been received.
3. A photograph of the plastered and sealed countertop has been received.

### Summary Comment

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

## 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 two staff trained in first aid responder (FAR) who were immediately available to the children should the need arise.

(2) (a) There was a first aid box stored on a shelf in the main care room.

(b) The first aid box was available to the children attending the pre-school 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 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 fire drills that took place in the service were all recorded and the last fire drill took place on the 22.04.2024 with evidence that drills take place monthly observed.
- (b) The firefighting equipment (Fire extinguishers) were last serviced in 23.11.2023. The smoke detection system was last serviced on 05.12.2023.
- (2) (c) The records as referred to above were available for assessment by the early years inspector on the day of inspection.
- (4) The procedure to follow in the event of a fire was displayed near the exit door.

## 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 as a sessional and school age service. The insurance was for 33 pre-school children. The expiry date of the insurance was 27.03.2025.