

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015CC300
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Name of Service:	Naíonra Thomáis Dáibhís
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Address of Service:	c/o Máire Uí Bhriain, F/Ch CLG, Carrigoon, Mallow, Co. Cork
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Eircode:	P51 XV58
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Name of Registered Provider:	Máire Uí Bhriain
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Service type:	Sessional
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Date of Inspection:	06/06/2024
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No of pre-school children:	AM	58	PM	N/A
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Address of the Early Years Inspectorate:	13 Market Square, Mallow, Cork. P51 DD5Y
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Inspection undertaken by:	E. Friel
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Title:	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).

Conditions if applicable	N/A
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Description of service

Naíonra Thomáis Dáibhís is a private sessional service in operation since 1987. While the service is registered for both a morning and afternoon session, only the morning session, from 9 am to 12.00 noon, is currently in operation. It is open 38 weeks of the year and is registered to accommodate children from 2 to 6 years of age, presently children who attend are aged from 2 years 8 months to 6 years old. The service is located in the rural area of Carrigoon on the outskirts of Mallow town. It operates from three rooms within Mallow GAA Sports Complex. The service has adult and child sanitary facilities and children have access to both indoor and outdoor play areas. There is a large car park available at the front of the service.

Staffing

There are nine adults employed in the service including one Access and Inclusion Model (AIM) support Worker and the registered provider. In addition, a student was in attendance.

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, persons 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*
- (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 was the designated person in charge and named persons were available to deputise.
- (b) The staff roster evidenced that the registered provider and the named persons were available, on the premises, at all times.
- (c) There was a clear management structure available on the notice board in the corridor of the service. In conversation staff stated they were aware of their roles and responsibilities.
- (2) Recruitment files for all nine adults and the student were available and reviewed;
- (a) (b) There were eleven validated references from past employers and nine validated references from sources other than past employers.
- (c) Garda vetting disclosures had been obtained for nine adults working in the service and one student. However, the service did not adhere to the re-vetting timeframes 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) International police vetting was available for two adults who had lived outside of the State for a period of six consecutive months or more as adults.
- (4) There was evidence that eight adults working directly with the children had attained major awards in Early Childhood Care and Education at Level 5 or above on the National Framework of Qualification. In addition, one adult who did not have the required qualification had a letter of Eligibility to Practice from the Department of Children, Equality, Disability, Integration and Youth. The student did not require a childcare qualification.

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) The registered provider ensured that there were an adequate number of adults working directly with the children on the day of inspection.

(3) The minimum ratio of adults to children were met.

Seomra Gorm (2 years 8 months – 3 years 6 months) There were twenty-two sessional children in attendance with two staff members.

Seomra Dearg (3 years 6 months – 4 years 6 months) There were eighteen sessional children in attendance with two staff members.

Soemra Buí (3 years 6 months – 6 years) There were eighteen sessional children in attendance with three staff members.

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) Of the 58 children present on the day of the inspection a sample of 12 children's registration forms were examined. All 12 records were found to contain the relevant particulars of (a) to (i) above.
- (3) (c) The records identified above were available for inspection in the service.

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.

Compliance Information

BASIC NEEDS:

- Children in Seomra's Gorm and Bui were observed eating a healthy and nutritious snack in line with the service's healthy eating policy. Examples included yogurts, berried fruits, filled sandwiches and vegetables.
- Individually labelled water bottles were visible and within reach of the children in each care room, throughout the day.

- Children were observed to be seated at tables during snack and table top activities. They sat at a comfortable height in relation to the tabletops. The tables and chairs were suitable to their age and stage of the children in each care room.
- Rest/quiet areas were provided in each care room and children in these areas were noted to have access to vinyl sofas, cushions, blankets, soft toys and a beanie hippo. Mobile libraries were located in each of the rest/quiet areas which had a range of books in both English and Irish.
- Children were observed being escorted to the sanitary areas in groups, from each care room, regularly throughout the morning. Staff were available to provide assistance and reminders with regard to hand washing and drying. A separate nappy changing table was available from a drop-down unit on the wall of the adult toilet.
- An individual inclusion plan was observed being implemented in the indoor and outdoor play areas in line with the child's needs. Specialised mobility equipment was observed in use to facilitate the child to participate in outdoor play activities and this was organised by a staff member in Seomra Dearg.
- Children from the Seomra Dearg care room were observed in the outdoor play area which was directly accessible from the care room. All children in the service have designated access to a large shared indoor play area which has artificial grass and also to a pitch in the outdoor area.

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 is secured within the building with a key pad and the back door is secured from inside ensuring no unauthorised adults can access the building and no unsupervised child can leave the building.
- The internal doors are fitted with thumb twist locks.
- All windows were secured to prevent children from accessing them.
- Indoor and outdoor toys and play equipment appeared to be well maintained and in good order.
- Flexes and cable were stored out of reach of the children.

- The T.V. in Seomra Dearg was inaccessible by the children.
- The pull chord in the adult sanitary area was stored out of reach of the children.
- The outdoor play areas, directly accessible from Seomra’s Bui and Dearg, were secured with wooden fencing and the pitch area was secured with high metal fencing and sliding bolted metal gates.

Infection Control:

- Perishable foods were observed to be stored in the fridges of each care room.
- Children and adult sinks were supplied with thermostatically controlled hot water, dispensing soap, blue roll for hand drying and pedal operated bins for the disposal of paper waste.
- Children’s belongings were stored on individually labelled hooks off the floor area.
- Staff were observed sweeping the floors and cleaning the tables after snack keeping the areas safe and hygienic.

Administration of Medication:

- Anti-febrile medication was observed to be in date, stored in its original container, and inaccessible to the children in a locked cupboard.

Safe Sleep:

- Each room had suitable rest/quiet area where each child could rest, if required.

Fire Safety:

- Fire extinguishers were observed to be anchored to the walls with brackets.
- The fire assembly area was located in Pitch one, a suitable distance from the service.
- All emergency fire doors were unobstructed.

Outing:

- The service provides opportunities for the children to go on outings. A risk assessment of a recent trip to the library was made available to the inspector which was noted to conform to the service’s outings policy and procedures.

Non-Compliance Information

General Safety:

- (1) Garda vetting was available for nine adults and one student. However, six of the adults vetting disclosures were not dated within the previous three years in adherence with the Early Years Inspectorate Regulatory Notice ‘EYI- RN12.3 Renewal of Garda Vetting’.
- (2) Children had access to unsafe areas in the Seomra Buí sanitary area. The inspector observed that there was no

childproof safety catch on a cupboard under the sink where children could access a full bottle of antibacterial washing up liquid.

- (3) Six fire doors in the indoor play area were not secured, posing a safety risk that children could access the outdoor car park areas and the stand/pitch which were on the opposite sides of the doors.

Infection Control:

- (4) The inspector observed that the nappy bin, present in the adult toilet, could not be opened due to being full and there was a malodour when the lid was partially ajar. In conversation staff stated the nappy bin is in use by all groups using the GAA centre, outside service hours, and there was no separate nappy bin for service use. Staff were unsure when the nappy bin was due to emptied.

Action submitted by the Registered Provider

Corrective & Preventive Action

The following statements were received from the registered provider;

General Safety:

- (1) Garda vetting has been applied submitted for all six adults. Management will ensure that Garda vetting renewal is completed every three years.
- (2) The antibacterial washing up liquid was removed from the under the sink in Seomra Buí sanitary area and a childproof lock was fitted.
- (3) The fire doors were reviewed, and repairs were carried out to ensure the safety of the children. It has been agreed with centre management that the fire doors will be reviewed on a monthly basis.

Infection Control:

- (4) The nappy bin, present in the adult toilet, was emptied the next day. An additional nappy bin has been installed for use specifically by the Naionra children and this will be emptied on a daily basis.

Supporting documentation submitted

General Safety:

- (1) Copies of Garda vetting disclosures, for all six adults, were received in the office of the inspectorate.
- (2) A photograph of the childproof lock attached to the cupboard handles, under the sink, in the Seomra Buí sanitary area was received in the office of the inspectorate.
- (3) The statement from the registered provider has been accepted.

Infection Control:

- (4) The statement from the registered provider has been accepted.

Summary Comment

The corrective actions implemented by the registered provider has 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 available to evidence that two adults had recently completed First Aid Responder (FAR) training and six additional adults had a certificate in paediatric first aid. The expiry date of all certificates were recorded as 20 March 2026. The roster indicated both adults with FAR training were available at all times.

(2) (a)(b) The suitably equipped first aid boxes, located in each care room, were available at all times and were within reach of the adults in the room.

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.

(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 were available of the monthly fire drills which took place in the service. The date recorded of the most recent fire drill was 4 June 2024, with previous drills dated 31 May 2024 and 30 April 2024.
- (b) A written record was available detailing number, type and maintenance of firefighting equipment in the Service. The certificate was dated July 2023.
- (4) The notice of the procedures to be followed in the event of a fire were located on the walls of the care rooms next to the emergency fire exit doors.

Non-Compliance Information

- (1)
- (b) There was no maintenance record available for the smoke alarm on the day of inspection.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (1)
- (b) The smoke alarm maintenance record was furnished by the complex manager. The registered provider has requested, from complex management, that copies of the firefighting equipment and smoke alarm records be supplied when maintenance has been carried out.

Supporting documentation submitted

- (1)
- (b) A copy of the smoke alarm maintenance record was received in the office of the inspectorate with a recorded date of 7 May 2024.

Summary Comment

The actions taken by the registered provider has addressed the non-compliance under Regulation 26.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

A certificate was available to evidence that the registered provider had insurance for the service. The service was insured for 66 children on a sessional basis and the expiry date was noted as 27 March 2025. Details included cover for public liability and fire and theft.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-

- (a) of sound and stable structure,*
- (c) kept adequately lit, heated and ventilated*
- (d) cleaned, maintained and repaired, as required, and*
- (e) equipped with adequate and suitable sanitary facilities.*

Compliance Information

- (a) The building appeared of sound and stable structure.
- (c) A new ventilation fan had been installed in the Seomra Buí sanitary area for the circulation of fresh air and ventilation in the area.

Non-Compliance Information

- (d)
- (1) The inspector detected a malodour in the sanitary areas of Seomra Dearg and Seomra Gorm. During a conversation regarding same staff attempted to activate the switches for the air ventilation on the ceiling but were unsuccessful, which prevented the removal of stale air and the circulation of fresh air.
 - (2) The adult cistern was noted to be constantly streaming water, posing a risk of flooding. In conversation, staff stated that this had been an ongoing issue.
 - (3) Nine ceiling tiles in the Seomra Buí care room were observed to be heavily water stained, which looked unsightly. During a discussion with staff, it was stated these had previously been replaced but each time it rained the new tiles became stained.

- (4) Push buttons of two toilet cisterns in the Seomra Buí sanitary area were observed to be missing, making it difficult for the children to effectively flush the toilets after each use.
- (5) Wall and ceiling ceramic tiles were missing in the girls and in the adult toilet in the Seomra Dearg and Seomra Gorm sanitary area, leaving the area looking unfinished.
- (e)
- (1) The inspector observed that there was only one wash hand basin available in the Seomra Buí sanitary area where two were required. There were eighteen children in Seomra Buí on the day of inspection where the ratio of children's toilets and wash hand basins was 1:11, posing a risk of cross contamination.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(d) (1), (2) (3), (4) and (5)

(e) (1)

A meeting was held with the complex manager, and it was agreed that all of the issues above, (d) 1-5 and (e) 1, would be addressed over the summer months when the service is not in operation. It was also agreed that fortnightly meetings would be held going forward to address any maintenance issues identified.

Supporting documentation submitted

(d) (1), (2) (3), (4) and (5)

(e) (1)

A copy of an email was received from the complex manager confirming that the issues under (d) 1 – 5 and (e) 1 would be resolved while the children were not in the building, over the summer months of July and August 2024.

Summary Comment

The registered provider has provided a timeframe for completion of the non-compliances identified under Regulation 29 (d) and (e), these will be reviewed on the next inspection.