

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015CC343
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Name of Service:	Réaltaí Óga Pre-School
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Address of Service:	Community Hall, River Street, Cloyne, Co. Cork
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Eircode:	P25 TK70
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Name of Registered Provider:	Regina O'Sullivan
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Service type:	Sessional
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Date of Inspection:	12/06/2023
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No of pre-school children:	AM	19	PM	N/A
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Address of the Early Years Inspectorate:	Early Years Inspectorate Administration Building St Mary's Health Campus Gurranabraher Cork
Inspection undertaken by:	D Prendergast
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	Not Applicable
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Description of service

Réaltaí Óga Pre-School is a privately owned sessional service, that is registered to cater for children aged two to six years. The Early Childhood Care and Education (ECCE) Scheme is facilitated over 38 weeks of the year. Two sessions are provided in the morning; the first from 8.45am to 11.45am and the second from 9.00am to 12.00pm and an afternoon session is accommodated between 12.30pm and 3.30pm.

There are two operational care rooms, which are located within a community hall, in the rural village of Cloyne in east Cork. Child and staff sanitary facilities are provided either adjoining or adjacent to the care rooms. A large hall within the community centre is available for indoor activities and the children also have access to an enclosed outdoor play space.

Staffing

The service employs six adults, all of whom work directly with the children who attend. This includes the registered provider, one adult employed under the Access and Inclusion Model (AIM) Support scheme and a relief staff member. A major award in Early Childhood Care and Education has been attained by each of the adults.

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 the child, safety, premises and facilities. The inspections may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9, 10, 11, 19, 22, 23, 25, 26 and 29; however, on inspection additional non-compliance which posed significant risk was identified under regulation 16. These findings are outlined within the relevant regulation 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.

Additional Information

During the onsite inspection, an Immediate Action Notice (IAN) was issued to the deputy person in charge for the attention of the registered provider, in relation to the absence of Garda Vetting for one staff member. A response to the IAN was subsequently received on 13 June 2023.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the deputy 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 registered provider was the designated person in charge of operating the early years service and a deputy had been appointed to deputise in the event of her absence.
 - (b) The deputy was present at the setting for the duration of the inspection.
- (2) The deputy person in charge confirmed that one adult had commenced working at the service since the previous inspection was undertaken on 15 June 2021. Therefore, recruitment records in relation to this adult were reviewed.
- (a) There were two written references on file from past employers.
 - (b) Not applicable, as the two required references had been provided by previous employers.
 - (d) Review of the relevant employment records indicated that police vetting from outside the State was not required.

(4) The adult had completed a level 5 award in Early Childhood Care and Education and a written record was available to this effect.

Non-Compliance Information

- (2)
- (a) Records of validation were unavailable for the two written past employer references in respect of the adult.
- (c) A Garda vetting disclosure was unavailable for the adult. On 12 June 2023, an Immediate Action Notice was issued to the deputy person in charge in response to the breach of regulation 9(c).

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (2)
- (a) The registered provider has responded to state that the adult in question will not be returning to the service and that a written checklist has been created to reflect the practice of verifying references going forward.
- (c) The response received in relation to the Immediate Action Notice stated that the adult would not have contact with the children until the relevant Garda vetting was completed. Subsequent to this, the registered provider advised that the adult would not be returning to the service.

Supporting documentation submitted

- (2)
- (a) & (c) The statements from the registered provider are accepted as evidence.

Summary Comment

The response from the registered provider was accepted in meeting the requirements of the regulation.

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 service's policy on Healthy Eating and the policy on Outings were reviewed and deemed to meet the requirements.

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) At the time of inspection, there was an adequate number of adults available to work directly with the children.

(3) The adult to child ratios met the requirements of the regulation as follows:

Time	Room Name and Age Range of Children	Number of Children Present	Number of Adults Present
9.59am	Butterfly (4 – 6 years)	12	1 + 1 AIM support
10.03am	Caterpillar (3 – 3 ½ years)	7	2

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:

(j) details of any medication administered to a pre-school child attending the service with signed parental consent;

(3) A record referred to in paragraph (1) shall be open to inspection on the premises,

Non-Compliance Information

(1)(j) & (3)

There was no evidence that written parental consent had been obtained for staff to administer the specifically prescribed medication that may be required by a child, who attended the service. Provision to record the administration of medication was also unavailable.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Consent letters have been received from parents. New documents have been created to record the administration of the medication to the child. There is now a checklist on all application forms to ensure that parents provide all the necessary consent forms, as part of the application process.

Supporting documentation submitted

A copy of the administration of medication form and the required written parental consent.

Summary Comment

The corrective action implemented by the registered provider has addressed the non-compliance identified under regulation 16.

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

(1)(a)

Basic needs:

- In the Butterfly room, the mid-morning snack was observed at 10.25am, while the children who attended the Caterpillar room were accommodated to have a meal break shortly after 11.00am. The children in the younger care room were encouraged to take a moment to relax at the table, before beginning their snack and sufficient time was subsequently provided for the children to eat and chat, in an unhurried environment.
- The children's reusable water bottles were within their reach throughout the morning, should they become thirsty at any stage. In the Butterfly room, some of the children were observed to retrieve their water bottles from the fridge after outdoor play.
- The adults were observed to be kind and patient in their interactions with the children and offered support during transition periods. For example, songs were initiated by staff members at tidy up time and as the children waited to wash their hands, before the snack break.
- The children's independent use of the sanitary facilities was encouraged, with supervision provided as needed.
- Both care rooms were furnished with rest areas for any child who may need time to relax or opt out of scheduled activities.
- Adequate space was provided within the indoor environments for the children to freely explore their chosen activities and interest items. The children also had opportunities to play in the outdoor area during the morning.

Physical and material environment:

- Table top activities and mealtimes were facilitated through the availability of waist height tables and child size chairs, which appeared comfortable.
- The range of materials on offer in the care rooms and in the outdoor area were appropriate for the children’s age and stage of development. For example,
 - Well-equipped play kitchens and dress up clothes promoted imaginary play.
 - Mark making was encouraged through the availability of chalkboards.
 - Construction materials included building blocks and plastic bricks.
 - Musical instruments, art and craft materials and sand play supported creativity and exploration through the senses.
 - Opportunities to extend language development were provided through books.
 - Gross motor development and active play in the outdoor environment, were facilitated through ride on toys, tyres, swings and a climbing frame.

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 children’s parents or guardians provided snacks for their meal breaks at the service. Examples on the day of inspection were noted to include sandwiches, bread rolls, rice cakes, crackers, filled wraps, yogurt, cheese and fruit such as bananas, strawberries, grapes and apples, with water to drink.
- The deputy person in charge advised that one of the children had a food allergy. During discussion, it was stated that this dietary requirement was managed through ensuring that children did not share any of the snacks supplied by their parents or guardians. In addition, staff ensured that birthday party foods did not contain the allergen.
- The Healthy Eating policy included *Lunch box ideas* to assist parents and guardians in providing suitably nutritious snacks.
- The inspector was informed that children were free to choose a snack from their lunch box if they became hungry outside of the allocated mealtimes. This was in keeping with the service’s Healthy Eating policy.

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:

- Low level electrical sockets were fitted with safety plugs.
- Radiator covers were in place to reduce the risk of a child sustaining a scald injury.
- In the Butterfly room, a low-level cupboard which contained potentially hazardous items, was secured with a restrictive opening device.
- Firefighting equipment was safely wall mounted.

Infection Control:

- Following outdoor play and before snack time, the children and one of the staff members in the Butterfly room were noted to wash their hands.
- Most of the wash hand basins in the service were adequately equipped with warm running water, along with liquid soap and disposable paper towels.
- The available refrigerators were used to store the children's perishable snacks prior to the mid-morning meal.
- Open windows in both care rooms ensured a supply of natural ventilation.
- The sanitary facilities adjoining the Butterfly room were cleaned after the children who attended the morning session were collected and before the arrival of the second group of children in the afternoon.

Administration of Medication:

- No medication was observed to be administered. However, one of the children had been prescribed medication, which may be required and a corresponding action plan was clearly displayed in the relevant care room. This was noted to include emergency contact details for the child and it also outlined the steps to be taken in the event of the child becoming ill.

Safe Sleep:

- The children in attendance were not observed to sleep at the time of inspection.

Fire Safety:

- There were no fire safety concerns noted.

Outings:

- The inspector was advised that an annual outing was conducted and a suitable Outings policy was in place to this effect.

Non-Compliance Information

General Safety:

- Children's access to cleaning agents was not prevented, which posed a risk of ingestion of harmful substances. In the Caterpillar room, the restrictive opening device on the low-level cupboard which contained cleaning agents, was not functioning properly and the cupboard could be easily opened.

Infection Control:

The following increased the risk of cross infection:

- In both care rooms, during the mid-morning snack, some of the children were observed to eat food directly from the table, as crockery was not provided. This was at variance with the Healthy Eating policy which stated that: *Children will not be permitted to eat food from the table, plates or place mats should be used.*
- The nappy changing mat in the staff sanitary facility was not maintained in a clean condition. Dirt was evident in the corners of the mat and a hairbrush was also stored on the changing mat.

Administration of Medication:

- The medication which was held in storage for one of the children was noted to have expired in March 2023. Administering expired medication may pose a risk to the child.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

- A new lock has been placed on the door to ensure that children do not have access to cleaning products. The checking of locks on all cupboards will be included in the health and safety checklists.

Infection Control:

- Children will be provided with plastic plates for their lunch going forward. Children will be reminded not to put their snack directly on the table. Staff will observe children during snack time to ensure this.
- Although the service has a nappy changing area, it was not in use at the time of inspection. The items have been removed and the mat has been washed.

Administration of Medication:

- The child's parent had kept the new medication, as they were due to go on holidays. The parent has since provided new medication, with the correct expiry dates. The service will request that all medication given at the beginning of the year will be in date for the full preschool year. Checking expiry dates of medication will also be included in the monthly health and safety checklist.

Supporting documentation submitted

General Safety:

- The statement from the registered provider is accepted as evidence.

Infection Control:

- A photograph of the available plates.
- A photograph of the clean changing mat and a corresponding cleaning checklist for the nappy changing area.

Administration of Medication:

- The statement from the registered provider is accepted as evidence.

Summary Comment

Based on the statements submitted by the registered provider and the partial evidence received, the non-compliances identified under this regulation have been addressed.

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

(2)

(a) The service had two first aid boxes, which were maintained in safe locations, out of reach of children.

(b) The first aid boxes were available at all times, should they be required.

Non-Compliance Information

(1) First Aid Response (FAR) certification was not held by any of the staff members. It was acknowledged that one of the adults was in the process of completing said training and that four of the staff members had completed paediatric first aid. However, at least one FAR trained adult must be available to the children at all times.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

FAR training has been completed by the manager The certificate is awaited and will be submitted once it is received. The registered provider will have a second member complete a FAR course to ensure that a member of staff with FAR training will always be present.

Supporting documentation submitted

A copy of the letter from the FAR training provider, which confirmed that the manager had completed said training and that the corresponding certificate was awaited.

Summary Comment

The action taken by the registered provider has addressed the non-compliance identified.

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) Records of the fire drills that had been conducted at the service, were available on file. Said records indicated that a fire drill was recently undertaken on 16 May 2023 and that monthly fire drills had been carried out in both care rooms prior to this date.
 - (b) Written records from a fire safety company indicated that the wired smoke alarm was last tested on 2 June 2022 and that the fire extinguishers were serviced on 1 June 2022.
 - (4) The fire evacuation procedure, which outlined details of the steps to be followed in the event of a fire, was displayed in one of the care rooms.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

- A registered provider shall ensure that the premises of the service are-
- (b) safe and secure,
 - (d) cleaned, maintained and repaired, as required, and
 - (e) equipped with adequate and suitable sanitary facilities.

Compliance Information

- (b) From the exterior, the main entrance door to the service was key locked, with a bell in place for parents and visitors. This reduced the risk of unauthorised persons gaining access. The risk of a child exiting the premises while unsupervised was minimised through the provision of a high-level sliding bolt on the interior of the same door. A secure enclosure of stone walls and timber pallet fencing with a gate, was provided in the outdoor play area.

Non-Compliance Information

(d) At one of the wash hand basins in the sanitary area adjoining the Butterfly room, a section at the top of the tap had broken off and there was evidence of rust on the tap, which impeded effective cleaning.

(e)

1. In the sanitary facility adjacent to the Caterpillar room, one of the wash hand basins was not maintained in proper working order, as a leak was evident.
2. Warm running water was unavailable at the second wash hand basin in the same area.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(d) A new tap has been installed.

(e)

1. The leak has been fixed.
2. As this sink was not being used due to the leak, staff did not have the water heater turned on. All water heaters are working.

Supporting documentation submitted

(d) Photographic evidence.

(e)

1. & 2. The statements from the registered provider are accepted as evidence.

Summary Comment

Based on the statements submitted by the registered provider and the partial evidence received, the non-compliances identified under this regulation have been addressed.