

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015CC413
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Name of Service:	The Farmyard Kindergarten
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Address of Service:	Quaker Meeting House, Summerhill South, Cork.
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Name of Registered Provider:	Paddy Lynch
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Service type:	Sessional
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Date(s) of Inspection:	27/01/2025
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No of pre-school children:	AM	25	PM	N/A
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Address of the Early Years Inspectorate:	13 Market Place, Mallow, Co Cork. P51DD5Y
Inspection undertaken by:	B Fraher and N O Donoghue
Title:	Early Years Inspectors

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

The Farmyard Kindergarten is a privately operated service that caters for children aged between 2 and 6 years. It provides sessional care and the Early Childhood Care and Education (ECCE) scheme. Daily opening hours are from 9:00 to 12:30 and 13:30 to 17:00. The service operates two care rooms at the premises. One care room is named the Cabin room and is situated in a prefabricated structure that is located in the grounds of the Quaker Meeting House. The 2 children's toilets and 1 adult toilet for use by this room are situated in a raised prefabricated structure that is situated directly adjacent to the main prefabricated structure. The second care room named the Quaker room is situated in the newly built detached one storey Quaker Meeting House. There are 2 children's toilets and 1 adult toilet in the building for use by this room. There is a large outdoor play area available on the Quaker Meeting House grounds that are used by children attending both care rooms.

Staffing

There are eight adults attached to the service. The registered provider is not service based. On the day of the inspection, six adults were on the premises, and were all working directly with the children.

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. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under Regulations 9- Management and recruitment, Regulation 10- Policies, procedures etc. of pre-school services, Regulation 11- Staffing, Regulation 15- Record of a pre-school child, Regulation- 19 Health, welfare and development of a child, Regulation 23- Safeguarding health, safety and welfare of child, Regulation 25- First aid, and Regulation 28- Insurance. However, on inspection additional non-compliance which posed a risk was identified under Regulation 8- Notification of change in circumstances and Regulation 24- Checking in and out and record of attendance. These findings are outlined within the relevant regulations within this report.

Inspection findings are documented in the inspection report which is first issued in draft format to the service with an opportunity to respond to any findings. Where statutory requirements are identified as not being met, the registered provider must demonstrate how they have rectified the non-compliance and will prevent any non-compliance from re occurring. The Corrective Action and Preventive Action plan (CAPA) will be used to inform decisions about compliance with regulatory requirements. Where the registered provider fails to meet the statutory requirements an escalation process may be commenced.

The inspectorate reserves the right to edit responses received for reasons including clarity, completeness and compliance with administrative and legal processes.

The contents of the report are compiled by the inspectorate body.

Additional Information

An Immediate Action Notice was issued to the registered provider on the day of inspection as two radiators in the Cabin room were recorded at 65.1°C and 62.8°C, and this posed a risk to the children. It is acknowledged that the person in charge turned off the radiators immediately on the day of inspection and covers were fitted that evening to remove access to the children. This was adequate to mitigate the risk.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered provider, person in charge, 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 had not notified the Agency of the change made to the person in charge of the service.

Corrective & Preventive Action submitted by the Registered Provider

The following statement was received from the registered provider:

Corrective and Preventive Action

An application for change in circumstances was sent to the Agency and approved. The Agency will be notified of any further change in circumstances in the future.

Supporting documentation submitted

Proof of approval was submitted.

Summary Comment

The corrective action submitted by the registered provider has addressed the non-compliance identified under Regulation 8(1).

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 had appointed a person in charge, to oversee the operation of the service. There was a named deputy also in place.

(b) The person in charge was on duty when the inspector arrived and remained present throughout the inspection.

(c) There was clear evidence on inspection of the management structure in place and the specific roles of each staff member.

(2) The recruitment records in relation to eight adults who were employed in the service were the subject of the inspection.

(a) Of the 16 required references, 13 references were from a previous employer with required records of validation on file.

(b) Of the 16 required references, 3 references were from previous employers with required records of validation on file.

(c) Garda vetting disclosures had been obtained and were on file for each of the eight adults. The service demonstrated compliance with the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years.

(d) Police Vetting was on file for 4 staff members who resided outside of the jurisdiction for a period of longer than 6 consecutive months.

(4) Records demonstrated that the staff who worked directly with the children had achieved at least a major award in Early Childhood Care and Education at level 5 on the National Framework of Qualification deemed by the Minister to be equivalent.

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 policies were reviewed and were found to meet the necessary requirements:

- Policy on authorisation to collect children
- Policy on healthy eating

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 time of inspection, there was an adequate number of adults responsible for the direct care and supervision of the children in attendance at all times.

(3) The adult to child ratios were observed to be above the minimum requirement in the care rooms, over the duration of the inspection. The ratios were as follows:

Room name and age range of the children	Number of children present	Number of adults present
The Cabin room (3 years to 5 years old)	7	3
The Quaker room (2 years and 6 months to 5 years)	18	3

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.

Compliance Information

(1) A sample of 10 records of early years children attending the service were reviewed. Each of the children's records were found to contain the required information of (a) to (i) above.

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:

- The layout in both care rooms supported the children to move freely within their environment and to actively engage in their chosen tasks.
- Food was prepared by parents or guardians and on their arrival to the service, the parents placed perishable foods in the refrigerator. The food was observed to be healthy and nutritious and the service kept additional food in case it was needed for any child.
- The tables were set with crockery and candles enclosed in a holder, making the atmosphere relaxed.
- Drinking water was available to the children throughout the morning in each care room.
- Children were observed accessing the toilet area under the supervision of the staff who were available to assist if needed.
- Rest/quiet areas were available in both care rooms for the children to use.
- There was a large outdoor play area which the manager informed the inspector was used most days but on the day of inspection the weather prevented the children from using the outdoor area.

Supporting relationships:

- The adults in both care rooms were noted to interact with the children in a caring manner throughout the inspection.
- Staff were heard in the Quaker room praising and encouraging children with their artwork.
- The inspector observed staff communicating with parents or guardians at drop off and collection on the day of inspection.
- Staff were observed by the inspector encouraging group involvement through singing songs and engaging in circle time with the children.

- The staff sat at the tables with the children engaging in different activities and interests such as making curd in association with St. Brigid's day, cutting and gluing and making homemade play dough and snow.
- Staff encouraged communication and language development through discussing topics of interest with the children and welcomed children to expand on their discussion. This was seen by the inspector when children and staff discussed the storm and an electrical outage.
- Staff engaged with children at their level, as seen in the Cabin room, when staff built a car with the children out of timber parts.

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:

- All external doors were secured with a coded lock, the doors were secured after the children arrived. The front gate was closed also after all parents and guardians left. This helped to prevent unauthorised access.
- Cleaning agents were stored out of reach of the children.
- The fire extinguishers were wall mounted on secure wall hooks.
- Visibility strips were fitted on the glass panels on doors.
- The appropriate temperature range was recorded in the Quaker room of 20.1°C and in the Cabin room of 18.3°C.
- The appropriate temperature range of the water in both sanitary areas accessible to the children was recorded between 23°C and 38.7°C.
- No electrical cables were seen to be accessible to the children.

Infection control:

- Handwashing facilities were accessible to the children with warm running water, liquid soap and wall mounted paper towel dispenser. Children were observed to wash their hands before snack time after they used the toilet. Staff were observed to remind children to do so.
- Lidded pedal bins were in use for the disposal of waste.

- Children's coats and outdoor clothing was stored on hooks off the ground.

Fire safety:

- Fire exits were noted to be free from obstruction.

Outing:

- The staff informed the inspector that the service did not go on outings.

Non-Compliance Information

General safety:

1. An Immediate Action Notice was issued to the registered provider on the day of inspection as two radiators in the cabin room were recorded at 65.1°C and 62.8°C and this posed a risk to the children. It is acknowledged that the person in charge turned off the radiators immediately on the day of inspection and covers were fitted that evening to protect the children. This was adequate to mitigate the risk.

2. A drawer in the Quaker room containing sharp knives was not secured and could be accessed by the children. This posed a risk to the children.

Action submitted by the Registered Provider

The following statement was received from the registered provider:

Corrective & Preventive Action

General Safety:

1. Protective covers were fitted over the radiators on the evening of the inspection and the service will ensure that the radiators remain covered.
2. The owners of the property have been contacted about removing the knives from the drawer and staff will check daily before the arrival that they are not accessible to the children. This is documented in the risk assessment.

Supporting documentation submitted

General Safety:

1. Photographic evidence was received.
2. Daily risk assessment received in the office of the inspectorate.

Summary Comment

The corrective actions submitted by the registered provider have addressed the non-compliances identified under Regulation 23.

Part VI - Safety

Regulation 24 - Checking in and out and record of attendance

(1) A registered provider shall ensure that each pre-school child attending the service is checked in and out of the service by an employee or an unpaid worker.

(3) A registered provider shall ensure that-

(b) a daily record in writing is kept of the entry on the premises of any such person.

Compliance Information

(3)(b) Visitors' records were kept in writing of any person entering the premises and the inspector was asked to sign in on arrival to the premises.

Non-Compliance Information

(1) The attendance record for the Quaker room indicated that the children present on the day had not been checked in on arrival. It is noted by the inspector, after discussion with a staff member, the records were then completed.

Corrective & Preventive Action submitted by the Registered Provider

The following statement was received from the registered provider:

Corrective and Preventive Action

The service has now assigned one staff member to check children in and out of the service on arrival and departure times and have a specific policy for recording attendance.

Supporting documentation submitted

The Attendance Policy was sent to the office of the inspectorate.

Summary Comment

The corrective actions submitted by the registered provider have addressed the non-compliances identified under Regulation 24.

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) Evidence was available to demonstrated that 2 of the adults held current first aid responder (FAR) certification and at least 1 of these adults was on duty for the hours of operation.

(2)(a) There was sufficiently stocked first aid boxes available in the service which were safely stored out of reach of the children.

(b) The first aid supplies were accessible at all times should they be required.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

The insurance certificate indicated that there was cover for 4 sessions of 22 children in each session and this was valid until 27 March 2025.