

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015CC434
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Name of Service:	Tir na nOg Ballydesmond
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Address of Service:	Ballydesmond, Mallow, Co. Cork
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Eircode:	P51 K228
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Name of Registered Provider:	Mary Kelly
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	25/04/2024
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No of pre-school children:	AM	44	PM	36
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Address of the Early Years Inspectorate:	13 Market Square, Mallow, Cork. P51 5DDY
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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

Tir na nOg Ballydesmond is an early years care and education service which offers a choice of full day care, part-time and sessional services. It is a community-based service in operation since 2003 and children attending are aged from 0-6 years of age. Opening hours are from 7.30 am and 6.30 pm, Monday to Friday, 50 weeks of the year. The Early Childhood Care and Education (ECCE) is facilitated between the hours of 9.00 am until 12.00 noon, 38 weeks of the year. A breakfast club is open from 7.30 am until 9.30 am and an afterschool club is available from 2.00 to 6.30 pm.

The service is a purpose built two storey building located in the rural area of Ballydesmond in North Cork. There are four care rooms namely; Baby room with two dedicated sleep rooms, Toddler, Junior and Senior pre-school rooms all located on the ground floor, along with a kitchen and children's sanitary facilities. The upper floor is in use for staff only. The ground floor care rooms have access to secure outdoor play areas and a parking is available at the front of the building.

Staffing

There are fourteen staff currently working in the service including a Community Employment (CE) assistant and a kitchen assistant. The registered provider is not service based.

Methodology

Tusla's Early Years Inspectorate is the independent statutory regulator of early years services in Ireland. The Child Care Act 1991 (Early Years Services) Regulations 2016 define the duty of a registered provider to ensure the safety and well-being of children and to comply with these regulations. This Act also gives Tusla the authority to assess compliance with the regulations. The purpose of regulation in relation to early years services is to ensure that the care, safety, and well-being of children attending such services is upheld. Inspections of early years services are planned based on the following:

- Previous inspection history
- Any information received in relation to the service

The findings on inspection are based on:

- Information obtained through examination of documentation
- Direct observation
- Discussion with relevant staff

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, 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*
- (c) there is a clear management structure in the service that identifies the lines of authority and accountability in the service and the specific roles and responsibilities of each employee and unpaid worker.*

(2) A registered provider shall ensure that each employee, unpaid worker and contractor is suitable and competent taking into consideration the nature of the needs of children, including by-

- (a) consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,*
- (b) consideration of references from reputable sources in the case of a person who has no past employers,*
- (c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the person, and*

(d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.

(4) A registered provider shall ensure that, without prejudice to the generality of paragraph (2) and subject to paragraphs (5) and (6), each employee working directly with children attending the service holds at least a major award in Early childhood Care and Education at Level 5 on the National Qualifications Framework or a qualification deemed by the Minister to be equivalent.

Compliance Information

- (1)
- (a) The registered provider ensured that there was a designated person in charge, deputy and named persons available on the premises. Both the designated person in charge and the deputy were on the premises when the inspector arrived.
- (b) The staff roster indicated that either the designated person in charge, deputy and/or named persons were on the premises while the early years children were present in the service.
- (c) There was a clear management structure available in the service. Staff roles, responsibilities and qualifications were detailed on each care room door. Room leaders were available in each care room.
- (2) Recruitment files for the fourteen adults were reviewed;
- (a)(b) There were fourteen validated references from previous employers and fourteen validated references from sources other than previous employers.
- (c) Garda vetting disclosures had been obtained for all adults for whom they were required. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.
- (d) Four adults, for whom international police vetting disclosures were required, as they had lived outside of the State for a period of six consecutive months or longer, had international police disclosures on file.
- (4) Twelve adults working directly with the children held at least a major award in Early Childhood Care and Education at level 5 or above on the National Framework of Qualifications or a qualification deemed by the Minister to be equivalent. Two staff members did not require qualifications as they did not work in childcare.

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.

(2) Subject to paragraphs (4) and (5), a registered provider of a full day care service or a part-time day care service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 1 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) thereof at that reference number is satisfied.

(8) Without prejudice to paragraphs (2) to (7)-

(a) a registered provider of a pre-school service other than a child-minding service or a sessional pre-school service shall ensure that there are at least 2 adults on the premises at all times.

Compliance Information

(1) The registered provider ensured that there were an adequate number of adults working directly with the children attending the service.

(2) The minimum adult/child ratios were met.

Baby Room (5 months – 2 years)

There were six full day care children in attendance with two adults in the morning and seven children in attendance with two adults in the afternoon.

Toddler Room (18 months – 3 years)

There were seven full day care and two part-time children in attendance with two adults in the morning and ten children with two adults in the afternoon.

Junior Pre-school (2 years 8 months – 4 years)

There were nine full day care, five part-time and three sessional children in attendance with two adults in the morning and thirteen children in attendance with two adults in the afternoon.

Senior Pre-school (3 years 6 months to 5 years 6 months)

There were six full day care and six sessional children in attendance with two adults in the morning and six children in attendance with adult in the afternoon.

(8) (a) The staff roster indicated that there were two adults on the premises while the early years children were present.

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:

(a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor;

(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.

(3) A record referred to in paragraph (1) shall be open to inspection on the premises, and the documents and records referred to in paragraph (2)(a) shall be open to inspection whether on the premises or elsewhere, by an authorised person.

Compliance Information

- (1)
- (a) The registered provider ensured that a record in writing was kept of the name, position, qualifications and experience of the person in charge, deputy and of every other employee.
- (i) The daily staff roster was available from the manager which included start and finish times, staff breaks and the names of the adults covering breaks.
- (j) A sample of ten administration of medication forms were reviewed from the Baby and Toddler care rooms these were found to contain all of the required particulars.
- (k) A sample of ten accident/incident forms were reviewed from the Baby and Toddler care rooms and these were found to contain the required particulars.
- (3) The records referred to in paragraph (1) were open to review, on the premises, by the inspector.

Part V - Care of Child in Pre-school Service

Regulation 20 – Facilities for rest and play

(1) Subject to this regulation, a registered provider shall ensure that-

- (a) having regard to the number of pre-school children attending the service, their respective ages and the amount of time they spend on the premises, there are adequate and suitable facilities for each child 19 to play indoors and, where required by these Regulations, outdoors, during the day, and
- (b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.

Compliance Information

- (1)
- (a) Each of the four care rooms was equipped with developmentally appropriate play materials and toys.
- Tables and chairs, suitable for the age and stage of the children, were available in each room. Examples included the Baby care room which had individual chairs in which the children’s feet were observed to be on the ground, these were fitted with trays and were only in use for meal times.
 - Play materials and toys were positioned on low-level shelving providing easy access and choice while promoting independence.
 - The Baby room had a small area with soft mats, mirrored walls for the children to explore their own reflections and develop a sense of themselves, sensory heuristic play baskets with natural materials and push and pull activities.
 - There was an adult chair in the Baby care room where staff could sit and feed, cradle and comfort children.
 - There was sufficient space available for each child to explore the environment in each care room.
 - There were five secure outdoor play areas available providing alternative environments for the children to play in. One of the areas had a large, covered shed, where the children could play outdoors in all weathers. There were a mix of ground surfaces including grass, safety matting and concrete. A range of developmentally appropriate equipment was provided which offered opportunities for practicing gross motor skills such as climbing and riding with examples including a large jungle gym with three slides and various wheeled tricycles and scooters. Sensory materials of sand and water with developmentally appropriate resources were available for children to explore and experiment with.

(b) There were adequate and suitable facilities for children to rest. On the day of inspection there were four sleep areas in operation namely; Baby care room rest rooms One and Two, Toddler care room in use as a sleep room after lunch and Junior Pre-school. Ambient lighting was available in each sleep area promoting restful sleep.

- There was a total of six cots in the Baby care room rest rooms and these were observed in use on the day.
- There were ten children resting/sleeping in the Toddler care room after lunch. Two children, under two years of age, were asleep on wooden floor beds which were equipped with fitted mattresses. Each child had an individual sleep plan and risk assessment completed by the staff and parents/guardians. In addition, the other eight children were resting/sleeping on floor mattresses.
- A child in the Junior Pre-school room was asleep on a floor mat in the rest area of the room.
- Each care room had a rest/quiet area, with age and stage appropriate soft furnishings, where the children could sit away from noisy activities.

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 service promoted healthy eating. Breakfast and lunch were provided by the service and all snacks were provided by the parents/guardians.

- Staff stated wheat and oat-based breakfast cereals along with toast and milk area are available from 8.15 am until 8.45 am. Mid-morning snack, which is a rolling snack, was observed in the Toddler room from 10.00 am onwards where children were observed eating ham sandwiches, squeeze yogurt, cheese and bite sized fruit and vegetables. Each child had their own placemat with their picture on it which had a template of a knife, fork and plate on it.
- Lunch was served at 1.00 pm in the Senior Pre-school room and was noted to consist of pasta and bolognaise and children were offered individual bowls of bite sized pieces of fruit when finished their lunch.
- Rolling snack was available in the afternoon from 3.30 pm in the care rooms with perishable food observed to store in the fridges in each care room.

- Appropriate cutlery and crockery were available for the various ages and stages of development of the children in each of the care rooms. Children in the Baby care room were observed being assisted to eat with spoons while children in the Senior Pre-school room had access to forks and bowls.
- Water was observed to be available at all times in each care room from individual bottles and jugs of water with individual glasses.
- Children’s milk bottles in the Baby room were observed to be stored in the fridge. In conversation, staff stated that they record, on a software package on a digital device, when the children start their bottles and will discard them if they are not finished within two hours. Parents can view the food their child has eaten on the device.
- A weekly menu plan was available for the inspector to view.

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 internal and external doors were secured ensuring unauthorised adults could not enter or unsupervised children leave the building.
- The windows in the care rooms were secured to prevent a child exiting or falling from them.
- All blind cords in the sleep rooms and the care rooms were secured with hooks, placed out of reach of the children.
- Toys and play equipment appeared in good condition and were well maintained.
- Heavy equipment and storage units were securely anchored.
- All waste indoors and outdoors was inaccessible. The indoor waste was stored in pedal operated bins and the outdoor waste was stored in bins which were out of reach of the children.
- Flexes and cables were stored out of reach of the children.
- The kitchen door was kept closed ensuring children were unable to access an unsafe area.
- The perimeter of the outdoor areas was secured with metal fencing and metal gates with sliding bolts and spring bolts ensuring children could not leave the areas unsupervised.

Infection Control:

- Children's coats were observed to be stored on individual hooks outside the care rooms.
- Adults and children had access to thermostatically controlled hot water, dispensing soap, disposable towels and pedal operated bins to dispose of paper waste.
- Adults in the baby changing area were observed using disposable gloves and aprons between each nappy change, washing their hands and the children's hands after nappy change, disposing of the nappies in a pedal operated bin and disinfecting the mat and unit after each nappy change.
- A sterilising/warming unit was available for the sterilising of children's soothers and bottles. The unit, which was stored out of reach of the children, could also be used to warm bottles safely.
- Cleaning records were reviewed on the digital device in the Baby care room, and these were observed to be up to date.
- Each child had an individual box to store their linen for their cot, which staff stated was laundered on a weekly basis or sooner if required.

Administration of Medication:

- Anti-febrile medication was available and was stored in its original container out of reach of the children.

Fire Safety:

- All emergency fire doors were unobstructed and operated with a push bar or thumb twist cylinders.
- Firefighting equipment was observed to be anchored to the walls on brackets.
- The fire assembly area was located in the front area of the building, a suitable distance from the service.

Non-Compliance Information

Infection Control:

- (1) The inspector observed that five of the six mattresses, on the cots in sleep rooms one and two of the Baby care room, were not fitted with waterproof covers making them difficult to clean.
- (2) Individual cotton cloths, stored beside each other, were observed in use in the Baby care room to wash hands and faces after mealtimes, posing risk of infection and cross contamination from being left out all day and being stored in close proximity to each other.

Action submitted by the Registered Provider

Corrective & Preventive Action

Infection Control:

The following statements were received from the registered provider;

- (1) Waterproof mattress covers have been ordered for the cots.
- (2) The cotton cloths have been removed. Children's hands and faces are washed with hot water and soap and dried with paper towels.

Supporting documentation submitted

Infection Control:

- (1) A copy of an invoice, date 2 May 2024, for six mattress covers, was received in the office of the inspectorate.
- (2) 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 eight adults had completed First Aid Responder (FAR) training and five adults had paediatric first aid. The staff roster confirmed that a person trained in first aid was available to the children at all times.

(2) (a) (b) The first aid boxes in the care room were well stocked and easily accessible to the adults. They were available at all times.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

A record of insurance was available which stated that the service was insured for ninety full day care children. The date of expiry was recorded as 28 February 2025.