

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:	24/07/2023
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No of pre-school children:	AM	15	PM	12
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Address of the Early Years Inspectorate:	134 Bank Place, Mallow, Cork. P51 EC59
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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 a community based early years service offering a choice of full-day care, part-time and sessional services in operation since 2003. The service is registered to accommodate children aged from 0 to 6 years of age and 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 is facilitated between the hours of 9.00 am until 12.00 noon, 38 weeks of the year. A breakfast club is available from 7.30 am until 9.30 am and an afterschool club is available from 2.00 to 6.30 pm.

The facility is located in the rural area of Ballydesmond in North Cork, directly opposite the community Centre. It is a purpose built 2 storey building consisting of both a ground and upper floor. The ground floor consists of an office, wheelchair accessible toilet, Baby room with two dedicated sleep rooms, Toddler room with sanitary facilities, Junior and Senior preschool rooms both with sanitary facilities, storage cupboards and a kitchen. The upper floor consists of staff kitchen, laundry, sluice room, adult toilets, office and spare room. The ground floor care rooms have access to secure outdoor play areas and a car park is available for staff and parents at the front of the building.

Staffing

There were nine staff employed in the service including the manager and a community employment participant. The registered provider does not work in the service.

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 inspections 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.

Additional Information

On the 24 July 2023 an Immediate Action Notice (IAN) was issued, on site, by the inspector in relation to safety in respect of the temperature of the running hot water, 53°C, recorded in the two wash hand basins in the Junior Pre-school sanitary area. This issue had also been recorded as a non-compliance on the previous inspection dated 4 April 2022 and in response the manager had stated that the issue had been resolved. It was acknowledged that when the manager was informed a phone call was made to the plumber. An email from the plumber was received on the 25 July detailing the repairs that were carried out to rectify the issue.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the manager, deputy, 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 and a named person available to deputise.
 - (b) The roster confirmed that either the designated person in charge or the deputy were present while the early years children were in attendance.
 - (c) There was a clear management structure in place and staff were aware of their roles and responsibilities.
- (2) The manager confirmed that one adult had begun placement at the service since the previous inspection undertaken on 22 April 2022, therefore recruitment records in relation to this adult were reviewed.

- (a) (b) There was one validated reference from a recent employer and one validated reference from a source other than a previous employer.
- (c) A garda vetting disclosure from the National Vetting Bureau was on file for the adult who had commenced working in the service.
- (d) Two international vetting disclosures were available for one adult who had lived outside the State as an adult for more than six months.
- (4) The adult on placement does not require a major award 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 an adequate number of adults working directly with the children during the hours of operation.

(2) The minimum ratio of adults to children was met.

Baby Room (10 months – 19 months)

There were two full day care children in attendance with one adult.

Toddler Room (19 months – 2 years and 11 months)

There were seven full day care children and one part-time child in attendance with three adults.

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

There were three full day care children and one part-time child in attendance with one adult.

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

There was one full day care child and four school age children in attendance with two adults.

- (8) The staff roster indicated that there were two adults on the premises at all times while the children were Present in the service.

Part IV – Information and Records

Regulation 15 – Record of pre-school child

(1) A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:

- (a) the name and date of birth of the child;*
- (b) the date on which the child first attended the service;*
- (c) the date on which the child ceased to attend the service;*
- (d) the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;*
- (e) authorisation for the collection of the child;*
- (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;*
- (g) the name and telephone number of the child’s registered medical practitioner;*
- (h) record of immunisations, if any, received by the child;*
- (i) written parental consent for appropriate medical treatment of the child in the event of an emergency.*

Compliance Information

- (1) Twenty records of children were sampled, and each were found to contain particulars 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

BASIC NEEDS:

- Food served on the day was provided by both the parents/guardians and the service. The staff member in the Baby care room stated that breakfast including cereal is served in the morning between 7.30 am and 8.00 am, with morning snack available from 10.00 am. The hot meal of pasta, tuna and vegetables served at lunch time, 12.30 pm, in the Junior Pre-school care room was noted to be healthy and nutritious. A child who did not want the hot lunch was offered an alternative hot meal. In the afternoon rolling snack is available in the pre-school rooms and the Toddlers have their snack at 3.00 pm.
- The children had access to cutlery and crockery and water was available from the children's individual water bottles which were accessible throughout the day.
- Children in the Baby care room, over one year old, were observed drinking cow's milk which staff stated had been provided by the parents/guardians. The milk was stored in fridge and water was available throughout the day in double handled beakers with lids.
- Children in the Baby care room and in the Toddler care room were observed wearing bibs to protect their clothing and spare clothes were available, if required.
- The inspector observed sun cream in a basket on a shelf in the Baby care room. In discussion the staff member stated that each child had their own individual sun cream for use in hot weather.
- Rest areas in the form of wooden rest pods were provided in each care room. These were fitted with mats and soft cushions.
- The adults working with the children in the care rooms were sensitive and responsive. A child in the Toddler care room requiring changing after an accident, while playing outdoors, was observed being treated with dignity and respect. The staff member engaged the child in conversation, collected the child's change of clothes and used the opportunity for close one to one interaction.

- One of the children in the Baby care room was observed being supported by the staff member, sitting next to them, to crawl towards a toy on the mat in the room. The staff member was encouraging the child to move by placing the toy further away each time the child reached it.

SUPPORTING CHILDREN'S RELATIONSHIPS:

- A key person approach was in place in the service with staff assigned responsibility for creating professional relationships with individual children and their families. Staff in the Baby and Junior Pre-school rooms also stated that part of their role of key person involved writing observations on their key children and speaking to parents/guardians regarding their child's learning and development.
- Examples of a health promoting ethos were demonstrated in the setting with displays of the sugar content of drinks and food displayed on the walls of the care rooms and corridors. In discussion with the manager it was stated that staff had been working on the Healthy Ireland Smart Start (HISS) initiative in partnership with the children and parents/guardians to promote the health of the children in the birth to three year age group and the three to five years age group.
- Staff member's interactions with the children, on the day of inspection, were observed to be warm, caring and sensitive. Examples included the staff member in the baby room singing to the babies, reading to them in the rest pod and using soft and gentle tones when putting the babies down to sleep. Staff in the Toddler care room outdoor area were observed listening and responding to the children's needs, a child started crying and the staff member ran over and picked up the child and comforted them, asking them were they all right.
- The inspector observed a number of photographs in the care rooms confirming that the service works in partnership with the community. Throughout the year the service had visits from a number of community partners including a nurse, firefighters, garda, hairdresser, and fitness instructor.
- A number of methods of communication are used to inform parents/guardians of their child's day in the service including toileting, eating, sleeping and activities of the day. Primarily, the service has a software application that staff can communicate with the parents on in real time and the inspector observed this in the recording of the physical sleep checks on the day. Staff stated they also speak to parents at drop off and collection time.
- Staff stated that formal meetings with the manager take place every four to six weeks, informal meetings take place daily and individual supervision with management happens every six months.

PHYSICAL AND MATERIAL ENVIRONMENT:

- All of the care rooms were set out with clearly defined areas which provided learning opportunities across all areas of development.
- Children in the Baby care room were observed happily engaged in a variety of play materials including a heuristic play basket comprising small metal bowls, chains, metal curtain rings and lids. Play materials were suited to the age and stage of development of the children in the room and provided opportunities for learning and exploration. Examples included paint, musical instruments such as a piano, rice crispies in a tuft tray offering sensory experiences, a rocker to practice gross motor skills and a wall mirror for visual and self-awareness. Materials were stored on low open shelving making them easily accessible, offering choice and promoting independence.
- An armchair was available in the Baby care room providing a comfortable place for staff to sit, read, feed and comfort the children.
- The walls of the care room were decorated with photographs including children involved in activities, families and community. The photographs were positioned at the children’s eye level and promoted a sense of identity and belonging for the children in each care room.
- A range of books were available in each care room and staff were heard reading throughout day promoting the children’s language development and imagination. Examples included a staff member in the Junior Pre-school care room reading “Harry and the Dinosaurs” before lunch and staff in the outdoor play area of the Toddler care room reading a book about being kind from a range of books on emotions.
- The outdoor play areas were accessible from each care room. A range of developmentally appropriate equipment was provided in each area and the children from the Toddler, Junior and Senior care rooms were observed playing outdoors throughout the day. Children were observed balancing, cycling, sliding, building and constructing. Equipment available included a large piece of physical apparatus with slides, a bridge and climbing rungs, bicycles, scooters ride-ons and tractors offering opportunities for practising gross motor skills. Large construction pieces were available and in use by the children for cognitive development and sand and water provided opportunities for sensory development and exploration. In addition, a large, covered area was available enabling the children to play outdoors in all weathers.

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-
- (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)
- (b) There were adequate and suitable facilities for the children to rest during the day. There were two dedicated sleep rooms located within the Baby care room. Each sleep room was directly accessible from the care room and fitted with glass windows which looked directly onto the care room. Within each room there were three cots, each one had a safety mattress and cellular blanket. The cots were placed more than 50 cm apart and were separated with small block walls. Sleep in the Baby care room was child led and the two babies were observed sleeping at different times throughout the morning and afternoon. The Toddler care room operated as a sleep room after lunch (12.50 pm) with six children observed resting/sleeping on stackable beds with cellular blankets.
- The sleep room temperatures of all sleep areas were within the required temperature of 16 °C– 20 °C. Records were available on a software application to evidence that the staff, in all sleep rooms were carrying out ten minute physical sleep checks including the colour, breathing and position of each child throughout the sleep/rest period. The inspector observed these checks being carried out in practice. Two staff members remained in the Toddler room, sitting on the floor next to the children while the children were sleeping/resting. A child who did not want to sleep/rest was observed playing with the sand in the trough.

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 entrance to the service was secured upon arrival. A door buzzer entry system was in operation for each of the care rooms, along with a keypad for staff.
- Blind cords were secured with hooks to the walls of the windows, out of reach of the children.
- The six chairs floor chairs in the Baby care room were in good condition and fitted with safe harnesses.
- Toys in the Toddler, Junior and Senior care rooms were well maintained and in good condition. New equipment including a large wooden rest/quiet pod was noted in the Baby care room since the last inspection.
- Heavy equipment and storage units were secured to prevent tipping or falling.
- Cordoned areas, inaccessible to the children, were available in each room for storing equipment.
- The outdoor waste was fenced off, away from the children, and indoor waste was stored in pedal operated bins.
- Cleaning agents stored on high shelves in the care rooms and sanitary areas, were out of reach of the children.
- The kitchen door was locked and inaccessible to the children as it was operated with a key code mechanism.
- The outdoor play perimeter was secured with high metal fencing and high hedging.
- CCTV was in place to ensure the safety of the children and staff in the care rooms.

Infection Control:

- Hygienic hand washing was observed in the Baby/Toddler nappy changing area after nappy changing by the adults and children in line with the service's nappy changing procedure.
- Perishable food was observed stored in the fridges of the care rooms preventing spoilage.
- Pedal bins were in operation throughout the service for the disposal of waste.
- A foot-operated, lined, lidded and sealed nappy bin was observed in the Baby/Toddler nappy changing area along disposable aprons and gloves for use by staff.

- Wash hand basins in use by the adults and children were supplied with dispensing soap, automatic paper towels for drying hands and pedal operated bins for the disposal of waste.
- 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 as demonstrated by the staff member in the Baby care room.
- Children’s belongings were stored on hooks off the floor. Personal items for children requiring nappy changing were clearly labelled and located in cubby houses above the nappy changing area.
- The inspector was furnished with the cleaning records for the Baby care room which were completed and up to date.

Administration of Medication:

- Anti-febrile medication was available in the service. The inspector observed that the children in the Baby care room each had individual bottles of anti-febrile medication which were labelled, stored in their original containers and placed out of reach of the children. A child present on the day had a pre-signed administration of medication form, which was stored on the electronic device, as they were on prescribed medication. In conversation staff were aware of the requirements and the service’s procedure on administering the medication.

Safe Sleep:

- There were two designated sleep rooms available in the Baby care room and the sleep needs of the children were observed to be child led.
- The Toddler care room was in use as a sleep room after lunch (12.50 pm) with six children observed sleeping/resting on stackable beds. Quiet activities were available for children who did not want to sleep.
- All rooms had wooden rest pods which were equipped with fitted mats and cushions. The rest area pod in the Baby care room was fitted with matting on the floor and sides to ensure the safety of the babies. Book cases were located beside each rest pod to facilitate children reading while resting.

Fire Safety:

- All fire doors were unobstructed and operated with a push bar or thumb twist cylinder.
- The fire assembly area was located in the front area of the building, a suitable distance from the service.
- Fire extinguishers were secured on the walls.

Non-Compliance Information

General Safety:

- (1) An Immediate Action Notice (IAN) was issued in relation to safety on the day of inspection (24 July 2023) in respect of the temperature recorded of the running hot water (53.9°C) in the two wash hand basins in the Junior Pre-school care room, which posed a risk of scalding to the children.
- (2) There were no windows restrictors on the windows of the care rooms posing a safety risk should a child fall or exit from the windows or an unauthorised person gain access.
- (3) A baby walker was observed in the Baby care room posing a safety risk by facilitating a child to access unsafe areas or unsuitable equipment.
- (4) The wooden kitchen, with a broken door, was in use in the covered outdoor play area posing a safety risk as the screws were exposed and loose.
- (5) A broken and cracked toy box was in use in the covered outdoor play area posing a safety risk to children from the potential of pinching or trapping their fingers in the cracked plastic.

Infection Control:

- (6) Bird droppings were noted above the children's play equipment in the covered area of the outdoor play area, posing a safety hazard.
- (7) The changing mat in the Baby/Toddler sanitary area had an exposed edge with foam visible, posing a risk of cross infection from not being able to be cleaned effectively.
- (8) The mechanical ventilation vent in the Baby/Toddler sanitary area was dusty, impeding the circulation of fresh air.
- (9) A fabric tunnel with exposed metal was in use in the Baby care room posing an infection risk as it could not be properly cleaned as the metal had become detached from the fabric covering.

Action submitted by the Registered Provider

Corrective & Preventive Action.

General Safety:

- (1) The plumber was called on the day of inspection and returned the following day to complete the repairs.
- (2) A glazing company have provided a quote for the window restrictors and the work will be completed in August/September 2023.
- (3) The baby walker in the Baby care room was removed and staff have been reminded that no baby walkers are allowed.
- (4) (5) The wooden door, screws and cracked toy box were removed from the covered outdoor play area. Staff will monitor the area on a daily basis.

Infection Control:

- (6) The bird droppings were washed away. The area will be monitored on the outdoor daily checklist and a risk assessment has been completed.
- (7) The changing mat in the Baby/Toddler sanitary area has been removed.
- (8) The mechanical ventilation vent has been cleaned and has added to the cleaners monthly cleaning list.
- (9) The fabric tunnel was removed from the Baby care room.

Supporting documentation submitted

The following documentation and photographs were received in the office of the inspectorate:

General Safety:

- (1) An email from the plumber stating the works carried out to rectify the problem on the 25/07/2023.
- (2) An email confirming the details of the quote for the window restrictors from the glazing contractor.
- (3) The statements from the manager that the baby walker was removed from the Baby care room and staff have reminded that baby walkers are not allowed have been accepted.
- (4) (5) Photographs showing that the play kitchen door, screws, and cracked toy box have been removed from the covered outdoor play area.

Infection Control:

- (6) A photograph of the cleaned area where the bird droppings were previously observed and a copy of the daily checklist.
- (7) A photograph of the new changing mat.
- (8) A photograph of the clean air vent.
- (9) The statement from the manager that the tunnel has been removed has been accepted.

Summary Comment

The actions taken by the manager have addressed the non-compliances under this Regulation.

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 on file indicated that staff who had completed First Aid Responder (FAR) training were available at all times, while the pre-school children were in attendance.

(2)

(a) (b) First aid boxes were located on high shelves, within reach of the adults and were available at all times.

Part VI - Safety

Regulation 26 - Fire safety measures

(1) A registered provider shall ensure that a record in writing is kept of-

(a) any fire drill that takes place in the premises, and

(b) the number, type and maintenance record of 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) Service records of fire drills indicated that fire drills were carried out on a monthly basis. The last fire drill was recorded as taking place on 16 June 2023.

(b) The number, type and maintenance of firefighting equipment and smoke alarms was available and recorded on written records in the service. The maintenance certificates were dated 8 July 2023 and 5 July 2023 respectively.

(4) Fire procedures were located on the walls in the care rooms next to the fire exit doors.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

The registered provider ensured that the service was insured. The certificate on file indicated that the service is insured for 90 full day care children. The expiry date was recorded as 29 February 2024.