

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015CE009			
Name of Service:	Boston Community Childcare			
Address of Service:	Boston, Tubber, Co. Clare			
Eircode:	H91PXR7			
Name of Registered Provider:	Michelle Lee			
Service type:	Full Day			
Date of Inspection (Day 1):	19/04/2024			
Date of Inspection (Day 2):	13/06/2024			
No of pre-school children (Day 1):	AM	9	PM	5
No of pre-school children (Day 2):		12		5
Address of the Early Years Inspectorate:	Quality and Regulation Directorate Tusla Child and Family Agency Ennis Primary Care Centre Station Road Ennis County Clare V95TY4E			
Inspection undertaken by:	Á.McCarthy			
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

Description of service

Boston Community Childcare is a community-based service, located in a rural village, in north Clare. The programme of care and education was facilitated in one room in a prefabricated structure on the grounds of the parish church, opposite Boston national school. The service operates a full day, part-time and sessional service Monday to Friday from 08:15 to 17:15, for children ranging in age from three to six years during school term only. A second room was in use as an office and two sanitary facilities were available. An outdoor area was located to the front of the building.

Staffing

Three adults are employed in the service. On the 19th of April 2024 the manager and a second adult cared for the children in attendance. On the 13th of June 2024 the manager and two adults cared for the children attending the service. The registered provider does not work directly with the children and is part of the board of management.

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 and safety. The inspection focused on an examination of compliance under regulations 9, 11, 15, 19, 23, 25, 26 and 28. A sampling process was used for Regulation 15. 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 inspection took place on the 13/06/2024 to review the actions the registered provider had taken to address the non-compliances identified. All non-compliances had been addressed.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the person in charge, the staff member 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)

On the 19th of April 2024 a designated person in charge and a named person to deputise were available as required.

(b)

Both a designated person in charge and a named person to deputise were available on the premises at all times.

Three of the four files were available for the adults employed by the service. These files were reviewed, and the following was noted:

(2)(a)

Five written references in respect of three adults were available from past employers. Four of these references were validated.

(c)

Garda Vetting disclosures were available in respect of all the four adults.

(d)

International police vetting was available in respect of one adult who lived outside the state for a period of longer than six consecutive months as an adult.

(4)

Three adults working directly with the children held a major award in Early Childhood Care and Education ranging from level 5 to 6 or an equivalent on the National Framework of Qualifications.

Non-Compliance Information

(2)(a)(b)

1. A file for one adult was not available to include two written references and photo identification.
2. A validated reference was not available in respect of one adult.
3. A reference sourced from a past employer in respect of one adult was not validated.

Corrective & Preventive Action submitted by the Registered Provider

(2)(a)(b)

Corrective and Preventive Action:

1. A file has now been created in respect for one adult and includes two written references and photoidentification.
2. A validated reference is available in respect of one adult
3. A reference was sourced from a past employer in respect of one adult

Prevention Actions:

All references will be validated by manager before staff member is employed.

A record is now maintained to include a list of all validation method to include staff name, name of reference, position of reference, date reference was sought, who sought reference, contact number of references.

Supporting documentation submitted

On the 13 June 2024 the staff files were reviewed by the inspectorate. References and verification of all references is now available for the adults working in the service.

Summary Comment

Based on the corrective and preventive action response and evidence reviewed on the 13 June 2024 the areas of non-compliance are addressed. The regulatory requirements under Regulation 9 are met.

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)
On both days of inspection an adequate number of adults worked directly with the children who attended the service.

(2)
The minimum ratio of adults cared for the children at all times during the inspection. On the 19 April 2024 two adults cared for nine preschool children in the morning and two adults cared for five preschool children in the afternoon. On the 13 June 2024 three adults cared for twelve children in attendance in the morning and five children in attendance in the afternoon.

(8)(a)
During the inspection more than two adults were available on the premises at all times.

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)

Seven of the twelve enrolment forms reviewed detailed the particulars required from (a) to (i).

Non-Compliance Information

(1)(h)

Five of the twelve enrolment forms reviewed did not have a record of a completed immunisation schedule outlining immunisations received by the children.

Corrective & Preventive Action submitted by the Registered Provider

(1)(h)

Corrective and Preventive Action

Five of the twelve enrolment forms reviewed did not have a record of a completed immunisation schedule outlining immunisations received by the children on closer inspection all five of the twelve did have photocopy of immunisation schedule attached to registration form.

Supporting documentation submitted

On the 13 June 2024 the forms were reviewed by the inspectorate and detailed the required information.

Summary Comment

Based on the corrective and preventive actions and evidence reviewed the areas of non-compliance are addressed. The regulatory requirement under Regulation 15 (1)(h) is met.

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)

The children's learning, development and well-being was facilitated within the service through the provision of appropriate activities, interactions, materials, and equipment, having regard to the age and level of development of the children. One care room was in operation during the inspection.

Basic Needs of Children:

The adults treated the children in a kind and caring manner and positive behavioural strategies were used during interactions. The adults conversed with the children in a sensitive and respectful manner, used soft tones of voice, used the child's individual name's and responded promptly to their cues for assistance and comfort. The children were encouraged to be independent in play and learning, whilst caring for their belongings and using the toilet. The adults supervised and treated the children in a sensitive manner during toileting. The children were encouraged and supported to manage their own personal and nasal care appropriate to their age and level of development. Mealtime was observed to be a relaxed and sociable occasion. Appropriate crockery and feeding utensils were provided to the children.

The adults offered praise and encouragement and the children were respected and supported in their choice of individual and group engagement in activities. The children's care need observations were shared daily with parents on the electronic application device. The children were offered a range of developmentally challenging play and learning activities and the children were observed to be fully engaged and included in all activities in the indoor and outdoor environments.

Supporting Needs Around Children:

A key person approach was observed in the care room, the adults demonstrated an appropriate level of knowledge of the children's individual preferences and capabilities. The adults were observed to make good eye contact with the children, listened attentively and engage with them at their level. The children's lead was followed by the adults, and the children were supported in individual and group play. The children were notified in advance of any transitions in care and consulted in the delivery of the programme of care and learning. The adults worked effectively to facilitate the programme of care and learning and communicated in a positive manner with parents or guardians during drop off and collection periods from the service.

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 entrance to the service was appropriately secured to monitor people's entry to the service. The internal and external entry and exit points prevented children exiting or unauthorised persons accessing the service.
- The outdoor area was secured with a concrete wall, fencing and gates.
- The children were supervised at all times during the inspection and their arrival and departure to the service was recorded on the service's electronic recording system.
- The materials and equipment throughout the service were maintained in good condition.

Infection Control:

- The service was maintained in a clean and hygienic condition. Completed cleaning schedules were available.
- The sanitary facilities were appropriately equipped with warm running water, liquid soap, hand paper towels, lidded, lined and pedal operated bins.
- Both the children and the adults washed their hands at appropriate intervals after activities, toileting and before mealtime.
- Perishable food items were stored in a refrigerator in the care room.

Administration of Medication:

- The manager confirmed that medication is not routinely given by the service. A policy and documentation were available in the event that prescription or non-prescription medications are required.

Safe Sleep:

- An area with soft furnishings that included a large couch and armchair was available for the children to rest and relax as required.

Fire Safety:

- The fire exits and passageways were clear from obstruction.
- The fire assembly point was readily identifiable with clear signage.

Outing:

- An outing was not undertaken during the inspection. An outings policy and risk assessments were available for completed outings.

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)

Two adults had a record of up to date First Aid Response training.

(2)(a)

A suitably equipped first aid box was stored in accessible position in the care room in the service.

(b)

A first aid box was available for use by the adults in the event of an emergency.

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 fire fighting 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 were available to demonstrate that monthly fire drills were carried out in the service. The last fire drill took place on the 19th of April 2024.

(4)

A fire action notice was displayed at the entrance to the service and next to the fire exit route.

Non-Compliance Information

(1)(b)

A record was not available for the number, type and maintenance of firefighting equipment and smoke alarms in the service.

Corrective & Preventive Action submitted by the Registered Provider

(1)(b)

Corrective and Preventive Action

The firefighting equipment and smoke alarm system in service have now been fully serviced and replaced as necessary. Fire equipment maintenance was serviced on 03 May 2024. The smoke alarm system maintenance service was completed on the 22 March 2024. The maintenance service of equipment will take place annually going forward.

Supporting documentation submitted

- A copy of the up-to-date maintenance service records for the firefighting alarm and smoke alarm system was reviewed on the 13 June 2024.
- A maintenance certificate for the firefighting equipment in the service was not submitted.

Summary Comment

Based on the corrective and preventive actions and evidence reviewed the areas of non-compliance are addressed. The regulatory requirements under Regulation 26 (1)(b) are met.

Part VI – Safety

Regulation 28 – Insurance

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

Non-Compliance Information

Evidence that the childcare service was adequately insured was not available when requested on the day of inspection.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

An insurance certificate is on site and available for inspection. Insurance cover is available for children attending the service and is valid until 04 May 2024. An Insurance policy is now stored in filing cabinet on premises.

Supporting documentation submitted

An up-to-date insurance cover note was available for review by the inspectorate on the 13 June 2024.

Summary Comment

Based on the corrective and preventive actions and evidence reviewed the area of non-compliance is addressed. The regulatory requirement under Regulation 28 is met.