

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015CE028
--------------------------	-------------

Name of Service:	Clonlara Community Childcare
-------------------------	------------------------------

Address of Service:	Church Road, Clonlara, Co. Clare
----------------------------	----------------------------------

Eircode:	V94 VXD4
-----------------	----------

Name of Registered Provider:	Michael Begley
-------------------------------------	----------------

Service type:	Full Day, Part Time, Sessional
----------------------	--------------------------------

Date of Inspection (Day 1):	21/02/2024
------------------------------------	------------

Date of Inspection (Day 2):	22/02/2024
------------------------------------	------------

No of pre-school children (Day 1):	AM	67	PM	53
No of pre-school children (Day 2):	AM	65	PM	50

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:	A.McCarthy & S Meehan
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

Not applicable

Description of service

Clonlara Community Childcare Crèche was established in 2008 as a full day, part time and sessional care service in Clonlara village, County Clare. The service operates Monday to Friday from 08:00 to 18:00. The building is a two-storey structure with childcare provided in six care rooms, two rooms are located on the ground floor and four rooms are located on the first floor. Children have access to a separate sleep room adjacent to the Wobbler room one and the Wobbler/Daisy room. The rooms in the service included: the Wobbler room one (age range: one to two years), the Wobbler room two (age range: one to two years), Toddler room one (age range: two to three years), Pre-school room one: (age range: three to four years), Pre-school room two (age range: two to four years) and Pre-school room three (age range: three to five years). A kitchen, a dining room and a staff room are also available on the premises. An enclosed outdoor play area is located at the side of the premises and is divided for the different age groups of children.

Staffing

The service employs twenty-five adults. The registered provider is one of the company directors and the chairperson of the management committee for the service. On the 21st of February 2024 the manager and assistant manager, three auxiliary staff who prepare, cook and serve the meals and sixteen adults who worked directly with the children were present. On the 22nd of February 2024 the manager and assistant manager, three auxiliary staff who prepare, cook and serve the meals and seventeen adults worked directly with children were present. During the inspection the manager and the assistant manager provided an administrative role and relief cover during breaktime.

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 may also focus on other areas as required. The inspection focused on an examination of compliance under regulations 9, 10, 11, 16, 19(1)(a), 22, 23, 24, 27, 32. These findings are outlined within the relevant regulation within this report. A sampling process was used to assess compliance under regulation 10, 16 and 17.

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

Governance

The inspection was conducted on foot of information submitted to the inspectorate.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the manager and assistant manager, staff and children who were present on the days 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.

(7) A registered provider shall ensure that all employees, unpaid workers and contractors are appropriately supervised and provided with appropriate information, and where necessary training, including in relation to the following:

(a) the policies, procedures and statements of the service specified in Schedule 5;

Compliance Information

(1)(a)

The manager was the person in charge and a person was available to deputise in their absence.

(b)

The manager and assistant manager were available throughout the inspection.

(c)

During the inspection the inspectors observed that a clear management structure was in place in the service. The manager and the assistant manager were available, and a person was assigned to deputise in the event that the managers were not available. The staff roster and the service's handbook, that is shared with parents identified the lines of authority and accountability in the service. The specific roles and responsibilities of each employee was detailed in the recruitment policy and information was displayed at the entrance to the service. The adults working in the service demonstrated an awareness of their roles and responsibilities upon discussion with the inspectors.

(2)

Twenty-five files were available and reviewed by the inspectors. The findings included the following:

(a)

Thirty-two references from past employers were available. Twenty-five of these references had a record of validation.

(b)

Fourteen references were available from a source other than a past employer. Eleven of these references had a record of validation.

(c)

Garda vetting disclosures were available in respect of twenty-five adults.

(d)

International police vetting was available for four adults working in the service who had lived in another state for a period longer than six months.

(4)

Twenty adults working directly with the children held Early Childhood Care and Education qualifications ranging from Level 5 to 8 on the National Framework of Qualifications or a qualification deemed by the Minister to be equivalent.

(7) (a)

A sample of the policies, procedures and statements of the service specified in Schedule 5 were reviewed by the inspectors. The policies and procedures reviewed by the inspectors included the following:

- Policy on Accidents and Incidents
- Inclusion Policy
- Recruitment Policy
- Policy on Behaviour Management
- Policy on Safe Sleep
- Policy on Infection Control
- Policy on Administration of Medication
- Supervision policy

A supervision policy was in place in the service and the manager confirmed that meetings are held every three months with staff and during the inspection the manager was observed to visit each room and communicate with staff regarding break cover and other information. The adults in each care room demonstrated a knowledge of the practices outlined in the service's policies and procedures. A sample of ten communications that included the sharing of the service's, policies, procedures and statements with parents were reviewed by the inspectors on the service's electronic application system. The electronic application system had a record confirming that the policies, procedures and statements were shared with parents of children in attendance.

Non-Compliance Information

(2)

(a)(b)

1. Four references with evidence of validation were not available.
2. Seven references retrieved from a past employer were not validated.
3. Three references retrieved from a source other than a past employer were not validated.

(d)

1. One adult who had lived in two states for a period of longer than six consecutive months did not have records of police vetting.

2. Police vetting in respect of two adults were not translated into the English language.

(4)
A record of an Early childhood Care and Education at a minimum of Level 5 on the National Framework of Qualifications or a qualification deemed by the Minister to be equivalent was not available in respect of one adult who worked directly with the children.

Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(a)(b)

1.-3. Each staff member now has two validated references. References will be validated before new employees commence employment.

- (d)
1. The police vetting department was contacted and the staff member has received a response stating, “that as this person has not lived in this country for over ten years, they will not accept an application for police vetting”. The police vetting department response was submitted as evidence. Staff will not commence employment unless all police vetting has been provided.
 2. All police vetting references have been translated.

(4)
This qualification was misplaced on the day as it was stored under the staff member’s previous name. It has been located and available in the staff file. Future checks will ensure all documentations is stored accurately.

Supporting documentation submitted

Documentary and photographic evidence.

Summary Comment

Based on the registered providers response and supporting evidence the areas of non-compliance under Regulation 9 appears to be addressed. The areas of non-compliance will be reviewed on next inspection. The regulatory requirement is met.

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

A sample of policies and procedures specified in Schedule 5 were available and reviewed by the inspectors. The policies reviewed included:

- Policy on Accidents and Incident
- Inclusion Policy
- Recruitment Policy
- Policy on Behaviour Management
- Policy on Safe Sleep
- Policy on Infection Control
- Policy on Administration of Medication.

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 in attendance.
- (2)
On the 21st of February 2024 the manager, an assistant manager and sixteen adults cared for sixty-seven children in the morning and cared for fifty-three children in the afternoon. On the 22nd of February 2024 the manager, an assistant manager and seventeen adults cared for sixty-five children in the morning and cared for fifty children in the afternoon.
- (8)(a)
The staff roster demonstrated that more than two adults were available in the service at all times.

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;*
- (b) details of the class of service and the age profile of children for which the service is registered to provide services;*
- (c) details of the adult: child ratios in the service;*
- (d) the type of care or programme provided in the service;*
- (e) the facilities available;*
- (f) the opening hours and fees;*
- (g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;*
- (h) details of attendance by each pre-school child on a daily basis;*
- (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)
The particulars outlined from (a) to (f) were displayed on the wall at the entrance to the service and shared with parents via the electronic childcare application system.

(g)
A sample of the policies, procedures and statements of the service specified in Schedule 5 were reviewed and deemed adequate by the inspectors. The policies and procedures reviewed by the inspectors included the following:

- Policy on Accidents and Incident
- Inclusion Policy
- Recruitment Policy
- Policy on Behaviour Management
- Policy on Safe Sleep
- Policy on Infection Control
- Policy on Administration of Medication

(h)

The inspectors observed that the children in attendance in the six care rooms were recorded on the electronic application system this included the full name of the child and their time of arrival and time of departure.

(i)

A staff roster was available and reviewed by the inspectors. The roster demonstrated the staff members rostered hours and staff absences from the service.

(j)

Details of medication administered to the pre-school children attending the service were recorded with signed parental consent and details of medication administered were issued to parents on the electronic application system. A sample of ten records were reviewed by the inspectors.

(k)

The sample of accident, injury or incident records involving pre-school children attending the service detailed a signed parental signature after the incident occurred. Accidents, injuries or incidents are issued to parents on the service's electronic application system. A sample of ten records were reviewed by the inspectors.

(3)

The records referred to in (1)(a) to (k) were available for review by the inspector in the service.

Part IV – Information and Records

Regulation 17 – Information for parents

A registered provider shall ensure that a parent or guardian of a child proposing to attend the service is provided with the information referred to in subparagraphs (a) to (g) of Regulation 16(1).

Compliance Information

The service displayed the required particulars in relation to Regulation 16 (a) to (f) at the entrance to the service. The required particulars in (g) were detailed in the service’s handbook and shared with parents. A record of communications shared with parents prior to and when the children commence in the service were reviewed by the inspectors. A sample of ten communications with parents were reviewed on the service’s electronic application device.

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 stage of development of the children. Six care rooms were in operation during the inspection. The care practices were reviewed by the inspectors in these rooms.

Basic Needs of Children:

The staff treated the children with positive regard. The inspectors observed the staff conversing with the children in a kind and respectful manner, speaking to the children’s at their level in soft gentle tones of voice. Positive behavioural strategies were used during interactions observed between the staff and children.

The children were encouraged to be independent in play and learning, whilst caring for their belongings and using the toilet. Staff supervised the children and treated the children in a sensitive manner during nappy changes and toileting. Nappies were changed frequently and on an individual basis. The children were encouraged and supported to manage their own personal care and nasal care appropriate to their age and level of development. The infant's sleep was attended to on an individual basis and an alternative area and activities were offered for children who did not wish to sleep. The infants were encouraged to feed themselves and promoted to be independent. Appropriate crockery and feeding utensils were provided in each room. The children transitioned to the dining room for mealtime, these periods were observed to be relaxed and unhurried.

The staff offered continuous praise and encouragement and 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 devices. The children in each room were offered a range of developmentally challenging play and learning activities and the children were observed to be fully engaged and included on both days in the indoor and outdoor environments.

Supporting Relationships Around Children:

A key person approach was observed in each care room, the staff demonstrated an appropriate level of knowledge of the children's preferences, interests, and individual capabilities. The staff followed the children's lead in the care rooms and the children were supported in individual and group play. The rooms accommodated visual cards and routine displays demonstrating photographic illustrations to support and include all children in the programme of care. The children were notified in advance of any transitions and consulted in the delivery of the programme of care and learning. The children's daily observations were shared with parents on the service's electronic system. A sample of four records were available demonstrating the individual care plan for care and learning that were concluded with staff, children and the external coordinator. The staff in each room worked effectively to facilitate the programme of care and learning. The staff communicated informally with parents/guardians during drop off and collection periods from the service. The inspectors observed that staff interacted in a positive manner with parents/guardians.

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 provided adequate and nutritious food on both days of inspection for the children in attendance. A weekly menu was available outlining the timing and meals provided to the children. Water and milk were offered as beverages. On both days of inspection in the morning, the children were offered a choice of cereal and toast for breakfast.

On the 21st of February 2024 a variety of fruit and toast were provided as the morning snack. Chicken, carrot and mashed potatoes were provided at lunch and for the afternoon snack sandwiches and a variety of fruit were given.

On the 22nd of February 2024 a variety of fruit and toast were provided as the morning snack. Beef, carrot and mashed potatoes were provided at lunch and for the afternoon snack sandwiches and a variety of fruit were given. Additional food was given when requested by the children. Some children bought their preferred food types from home.

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:

- A key coded, bell operated system was in place at the entrance door to monitor the safe entry and exit of the children to and from the childcare facility.
- The outdoor areas were secured with fencing and gates to protect the children within.
- Medication and cleaning agents were stored in a secured area out of reach of the children.
- The blind cords were appropriately secured to the windows throughout the service.

Infection Control:

- The service was maintained in a clean condition.
- The sanitary facilities were equipped with warm water, liquid soap, hand paper towels and lidded, lined pedal operated bins. Child friendly handwashing posters were located above the wash handbasins as prompts to promote good handwashing practices.
- The children washed their hands at appropriate intervals after activities, wiping their noses, toileting and before mealtime.
- The prepared infant formula was stored correctly in a fridge in the care room.
- The soothers were stored in individually labelled containers when not in use.
- Labelled containers are available for storing bedlinen and personal care items.

Safe Sleep:

- The sleep areas had an adequate number of standard sized cots for the babies to sleep. Low level beds were available for children over two years of age.
- The sleep room and care room temperatures were maintained between 16-20 degrees Celsius in the sleep rooms on both days of inspection. A thermometer was available for staff to measure and monitor the room temperatures.
- The children's sleep observations were recorded by staff every ten minutes on the service's electronic application system. These observations included the children's: colour, position and breathing.

Fire Safety:

- Written records of completed monthly fire drills were available.
- The fire assembly point was readily identifiable.
- The manager had a record of up-to-date fire safety training.

Non-Compliance Information

General Safety:

1. Staff confirmed that shaving foam is used for children's activities. Shaving foams are not recommended for use by children under four years of age. The aerosol shaving foams have the potential to be hazardous if inhaled, ingested, or handled.

Infection Control:

2. The pedals on three nappy disposal systems were broken in the nappy changing area in Wobbler room one and Wobbler room two and Toddler room one. During nappy changing periods the bin had to be touched to dispose of nappies. This posed a potential risk of cross contamination.

3. An adequate sterilising system was not available in Wobbler Room Two. The current method of using hot water to sterilise soothers is not appropriate and posed a potential risk of cross infection.
4. The children's perishable goods were not stored in a refrigerator. The inspector observed the children's perishable food to be stored in their lunch bags in the preschool rooms. This posed a risk of cross contamination of food.

Safe Sleep:

5. Fleece blankets were observed in use by the inspectors while infants slept in the Wobbler room one sleep room and the Wobbler room two sleep area. This practice was at variance with the service's sleep policy which stated that "only cellular blankets" are to be used. The use of fleece blankets posed a risk of overheating infants and potential risk of sudden infant death.

Fire Safety:

6. A fire exit in the Wobbler room two/Daisy room was obstructed with a stairgate. This posed a potential risk of impeding the exit of children and staff in the event of a fire.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. Shaving foam has been removed and will not be used in the early years' service. Shaving foam will not be purchased and staff have been informed of the risks and that it is not permitted.

Infection Control:

2. New pedal operated bins have been purchased. Bins will be checked regularly by management.
3. A microwave steam steriliser has been purchased for the room. The steriliser will be used in this room going forward.
4. The children's food will be stored daily in the refrigerator. A new refrigerator has been purchased for preschool 3 and the smaller one was moved to preschool 2 so that there is sufficient space to store all lunches. Staff have been informed about safe storage of food.

Safe Sleep:

5. The fleece blankets have been removed and the cellular blankets are in use. The cellular blankets will be used daily.

Fire Safety:

6. The gate has been removed. The fire exits in the building are clear at all times.

Supporting documentation submitted

General Safety:

Documentary evidence.

Infection Control:

Documentary and photographic evidence.

Safe Sleep:

Documentary and photographic evidence.

Fire Safety:

Documentary and photographic evidence.

Summary Comment

Based on the registered providers response and supporting evidence the areas of non-compliance under Regulation 23 appear to be addressed. The actions taken will be reviewed on next inspection. The regulatory requirement is met.

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-

(a) no person other than-

(i) pre-school child attending the service,

(ii) a person dropping or collecting such a child,

(iii) an employee, or

(iv) an unpaid worker, can enter the premises without his or her entry being approved by an employee, and

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

Compliance Information

(1)
The children's arrival and departure times were recorded on a daily basis. The attendance records were reviewed by the inspectors on the service's electronic application system.

(3)(a)(b)

A written record was available at the service entrance for persons not referred to in particulars (i) to (iv) to record their details and reason for visiting the service.

Part VI – Safety

Regulation 27 – Supervision

A registered provider shall ensure that pre-school children attending the service are supervised at all times.

Compliance Information

During the inspection the managers and staff ensured that the preschool children were supervised at all times in the indoor and outdoor environments. The staff in each room demonstrated an understanding of their roles and responsibilities in relation to supervising children at all times in the service.

The children in attendance were recorded upon their arrival and departure from the service on the service's electronic application system. The regulatory ratio requirement for adults caring for children was maintained in each care room. The staff ensured that the children were supervised in the indoor and outdoor environments, during transitions to mealtimes, to sleep, while the children used the toilet and during nappy changing procedures.

Part VIII - Notifications and Complaints

Regulation 32 – Complaints

(1) A registered provider shall ensure that the complaints policy of the service specifies-

- (a) the procedure to be followed by a person for the purposes of making a complaint in relation to the service,*
- (b) the manner in which such a complaint shall be dealt with, and*
- (c) the procedures for keeping a person who makes such a complaint informed of the manner in which it is being dealt with.*

(2) A registered provider shall ensure that-

- (a) a record in writing is kept of a complaint made to the provider in respect of the pre-school service, and*
- (b) the complaint is duly dealt with in accordance with the provider's complaints policy.*

(3) A record in writing referred to in paragraph (2)(a) shall-

- (a) include the nature of the complaint and the manner in which the complaint was dealt with, and
- (b) be open to inspection on the premises by an authorised person.

(4) A registered provider shall ensure that a record in writing referred to in paragraph (2)(a) is retained for a period of 2 years from the date on which the complaint has been dealt with.

Compliance Information

(1) (a)(b)(c)

The service's complaints policy outlined:

- The procedure to be followed by a person making a complaint in relation to the service.
- The manner in which a complaint shall be dealt with.
- The procedures for keeping a person who makes such a complaint informed of the manner in which it is being dealt with.

(2) (a)(b)

The manager stated the following:

- No written complaints were made in respect of the preschool service.
- The service's policy requirement to retain records in writing of complaints made to the provider in respect of the pre-school service.
- The procedure to ensure that complaints is duly dealt with.

(3)(a)(b)

The manager and the service policy detailed that a record in writing referred to in paragraph (2)(a) includes:

- The nature of the complaint and the manner in which the complaint was dealt with, and how the record will be open to inspection on the premises by an authorised person.

(4)

The service policy specifies that a record in writing referred to in paragraph (2)(a) is retained for a period of two years from the date on which the complaint has been dealt with.