

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015CE058
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Name of Service:	Inagh Ark Childcare
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Address of Service:	Inagh, Ennis, Co. Clare
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Eircode:	V95 YH29
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Name of Registered Provider:	Niall Garvey
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	29/01/2024
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No of pre-school children:	AM	48	PM	36
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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
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
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Description of service

Inagh Ark Childcare is located in a rural area, outside Ennis, County Clare. The service facilitates full day, part-time and sessional care to children. A play-based programme of care and learning is facilitated for children ranging in age from six months to six years Monday to Friday from 08:00 to 18:00.

The purpose-built childcare facility has four care rooms. The rooms accommodated the following age range of children: Playful Pandas room (age range: eleven months to two years), Busy Bees room (age range: one to three years), Terrific Turtles room (age range: three to four years) and the Mighty Monkeys room (age range: three to four years). Each afternoon the Mighty Monkeys room is used for school aged childcare. A separate sleep room is available for the babies and a second sleep room is located adjacent to the Busy Bees room. An outdoor play area is located to the rear of the building and the service has access to a large community hall and a large playground nearby.

Staffing

On the 29th of January 2024 the service manager, twelve adults who worked directly with the children, a student, two school aged childcare workers, and an auxiliary staff member who prepares and serves the food were present. The registered provider is part of the board of management and 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 and safety. The inspection focused on an examination of compliance under regulations 9, 11, 19(1)(a), 23, 25, 26 and 28. 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

Management and Staff

On the 30th of January 2024 an immediate action notice was issued to the service. Garda vetting disclosures were not available in respect of two adults who worked directly with the children. This is contrary to the requirements of Regulation 9 (2)(c) Child Care Act 1991 (Early Years Services) Regulations 2016 and Part 3, Article 12(1) of the National Vetting Bureau Act 2012/2016.

On the 31st of January 2024 the manager responded by outlining the interim actions taken by the service to address the areas of non-compliance. The two adults did not work in the service until the vetting process is complete. On the 2nd of February 2024 a copy of the required Garda vetting disclosures in respect of the two adults were submitted to the inspectorate.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the 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,*

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

(b)

The manager and the deputy were available during the inspection. The assigned management structure was displayed on the parents notice board.

(2)

Twenty files were available and reviewed by the inspector. The findings included the following:

- (a)
Twenty-eight written and verified past employer references were available.
- (b)
Twelve written and verified references were obtained from a source other than a past employer.
- (c)
Garda vetting disclosures were available in respect of the eighteen adults working in the service.
- (d)
International police vetting was available for five adults who had lived in another state for a period longer than six months.
- (4)
The adults working directly with the children held qualification ranging from level 5 to 8 on the National Framework of Qualifications.

Non-Compliance Information

- (2)(c)
Garda vetting disclosures were not available in respect of two adults who worked directly with the children. On the 30th of January 2024 an immediate action notice was issued by the inspectorate to the service.

Corrective & Preventive Action submitted by the Registered Provider

(2)(c)

Corrective and Preventive Action

Staff members did not work in the service until the garda vetting process was complete. The Garda Vetting disclosures for two staff members have been submitted to the Inspectorate. Going forward all staff will be Garda Vetted before starting in the service.

Supporting documentation submitted

- Written responses.
- Copies of garda vetting disclosures.

Summary Comment

Based on the service's immediate action notice response, corrective actions, and evidence provided to the inspectorate, the area of non-compliance under Regulation 9 is addressed. The regulatory requirement is 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)
During the inspection an adequate number of adults worked directly with the children in attendance.
- (2)
On the 29th of January 2024 twelve adults worked directly with forty-eight children in the morning and thirty-six children in attendance the afternoon.
- (8)(a)
The staff roster demonstrated that more than two adults were available in the service at all times.

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,*

Compliance Information

(1)(a)

Basic Needs of Children:

The inspector observed the children's learning, development, and well-being to be supported by the members of staff. The staff treated the children with positive regard this was observed by the staff conversing with the children at their level in a respectful manner, listening attentively during conversations and responding promptly to their cues for assistance. All the children were held and comforted when needed by staff. The staff used positive behavioural strategies during interactions and offered continuous praise and encouragement across all the care rooms.

The children were encouraged to be independent while caring for their personal belongings, using the toilet, during mealtime and during activities. The children's sleep needs were responded to appropriately and children who did not wish to sleep were provided with an alternative room to play and learn in. The infant's nappies were changed on a regular basis and the staff carried out these procedures in a sensitive manner. The children were encouraged and supported to manage their own personal care appropriate to their age level of development. Open ended play-based activities predominated for the duration of inspection. The children freely moved and chose their activities in the spacious indoor and outdoor environment. The babies were encouraged to feed themselves and supported by staff when needed. The adults sat together with the children during mealtime, and they conversed amicably. Mealtimes were observed to be a relaxed, unhurried and sociable occasions. Appropriate crockery and utensils were provided during snack and mealtime. The parents supplied the children's snacks, and meals. Water was freely accessible to the children throughout the day.

Physical and Material Environment:

The four care rooms were colourful, bright and spacious and the equipment in all the rooms was located on low level shelving which were easily accessible to the children. A range of challenging and developmentally appropriate play materials and equipment were available in each room to support gross motor, fine motor, cognitive and language development. The walls of the rooms displayed numerical, alphabetical and literacy aids, a family area, children's birthday displays, creative displays for the baby's routines and the children's creations.

The children chose their individual activities and had the freedom to move around the rooms and access their chosen equipment. Individual learning journals were available capturing the children's learning and creative work since the beginning of the year.

During the inspection, the children transitioned freely from the indoor to the large, outdoor play area under supervision. The children were observed to thoroughly enjoy their time outside engaging in games, physical, sensory, constructive and imaginative play. The outdoor environment was located at the rear and side of the building. The area had an all-weather surface and was enclosed by high fencing, hedging, concrete walls and gates. Each area was appropriately resourced for the age range and developmental needs of the children in attendance. The play resources included wooden activity stations, sensory boards and tables, tricycles, tractors, wooden mud kitchens, pretend playhouses, a toddler play centre with a swing and slide. Games were accessible on the walls for the children. A large, covered section was available with a range of sensory equipment and supporting materials. A shed was available to store the children's play equipment when not in use. Adjacent to the service, the children have access to a newly designed playground and a large hall.

Supporting Relationships Around Children:

An informal communication approach was observed during interactions between staff and the children's parents. Parents conversed amicably with staff during the children's arrival and departure from the service. The children's daily activities and observations were shared with parents verbally and on the service's electronic application device. The staff facilitated the programme of care and learning in a cohesive manner in each room. The members of staff demonstrated a good knowledge of the children's individual preferences, capabilities, and personal interests. The children were consulted in advance of the changes in the programme of care and learning. Each child was supported in individual and group play.

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 coded, bell operated, and video surveillance system was in place at the entrance door to monitor the safe entry and exit of the children to and from the premises.
- The outdoor areas were secured with concrete walls, fencing, hedging and gates to protect the children within.
- All the children were signed in on arrival and signed out on departure from the service on the service's electronic application device.
- Medication and cleaning agents were stored in a secured area out of reach of the children.
- The blind cords were appropriately secured throughout the service.
- The highchairs were maintained in good condition and fitted with safety harnesses.

Infection Control:

- The service was maintained in a clean and hygienic manner. Completed cleaning schedules were available demonstrating the frequency and areas cleaned within the service.
- The nappy changing and sanitary facilities were equipped with warm running water, liquid soap, hand paper towels and lidded, pedal operated bins.
- The children washed their hands at appropriate intervals during the day.
- The nappy changing procedures were completed in an adequate manner in accordance with the service's infection control procedure.
- The children's perishable food items were placed in fridges in each care room.
- The children's soothers were stored in individually labelled containers.

Administration of Medication:

- Medication was not administered during the inspection. A service policy was available to inform practice.
- Documentation was available for staff to use in the event that prescription and non-prescription medication was required.
- An individual care plan was available for children who required the use of emergency medication.

Safe Sleep:

- The two sleep rooms accommodated eight standard size cots for the infants to sleep. Low level beds and mattresses were available for children to sleep in the care rooms. Areas with soft furnishings were provided in each care room and used by the children to rest and relax throughout the day.
- Staff demonstrated a good knowledge of the service's safe sleep policy. The children's sleep observations were recorded by staff every ten minutes on the service's electronic application device. These observations included the children's colour, position and breathing.

Fire Safety:

- The staff had records of up-to-date fire safety training.
- The fire exit routes and passageways were clear from obstruction.
- The fire exits routes and fire assembly points were readily identified with signage.

Outing:

- An outing was not undertaken during the inspection. An outings policy is available to inform the service's practice.

Non-Compliance Information

Safe Sleep:

1. The room temperature in sleep room one was not maintained between 16-20 Degrees Celsius. The room temperature was recorded as 23 Degrees Celsius while babies slept. This practice is at variance with the service's safe sleep policy. It is acknowledged that interim measures were put in place during the inspection that included use of an air conditioning unit and a fan which reduced the temperature to 21 Degrees Celsius.

Action submitted by the Registered Provider

Corrective & Preventive Action

Safe Sleep:

The service had contacted their plumbing and heating technician before inspection and were waiting on a call out. Although temporary measures were put in place, this did not suffice. The technician has since completed a service of the heating system and resolved this issue. The service will continue to monitor and record the sleep room temperature on a daily basis to ensure the room temperature is maintained.

Supporting documentation submitted

Safe Sleep:

- Written Response

Summary Comment

Based on the service's corrective actions the area of non-compliance under Regulation 23 Safe Sleep is resolved. The regulatory requirement is met and will be reviewed on next inspection.

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)

Four staff had a record of up to date First Aid Response training.

(2)(a)

Suitably equipped first aid boxes were stored in accessible positions throughout the service.

(b)

First aid boxes were 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 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)

Records were available to demonstrate that fire drills were carried out in the service.

(b)

Up-to-date records of the number, type and maintenance service were available for the firefighting equipment and the smoke alarm system. The most recent service of the firefighting equipment and the smoke alarm system took place respectively in March 2023 and April 2023.

(4)

Fire action notices were available demonstrating the procedures to be followed in the event of a fire.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

Up to date insurance cover was available for children attending the service. The policy is valid until the 15th of November 2024.