

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015CE065			
Name of Service:	Kilmaley Community Creche			
Address of Service:	Kilmaley, Ennis, Co. Clare			
Eircode:	V95 P9YX			
Name of Registered Provider:	Gerry Pyne			
Service type:	Full Day, Part Time, Sessional			
Date of Inspection:	03/07/2023			
No of pre-school children:	AM	27	PM	27
Address of the Early Years Inspectorate:	Early Years Inspectorate, Quality and Regulation Directorate, Tusla, Ennis Primary Care Centre, Station Road, Ennis, Co. Clare.			
Inspection undertaken by:	M. Ní Nialláin			
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

Kilmaley Community Crèche is a full day care childcare service which first opened in 2006. It is operated by a community based limited company. It is registered to cater for 72 children from 0- 6 years of age. The service operates from 7.30am -6pm, Monday to Fridays.

Staffing

The registered provider is one of the company directors and the chairperson of the management committee for the service. On the day of inspection, a service manager operated the full day service assisted by nine childcare staff and one support staff.

Methodology

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 inspections may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9, 11,19,23, 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.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the service manager, 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*

(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 day of the inspection the manager was the designated person in charge and there was a named person available who was able to deputise for her if required.

(b) During the period of the inspection, the designated persons in charge were present on the premises. The staff roster indicated that the designated person in charge or her deputy were always available on the premises.

(2)(a) Two validated references from past employers were available for some of the adults.

(b) Where past employer references were not available, references from a source other than a past employer were provided.

(c) Vetting disclosures received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 were available for eleven adults employed at the service.

(d) Police vetting was available for one adult who had lived outside the state for a period greater than six months.

(4) All adults employed to work directly with children on the day of inspection held an appropriate qualification in Early Childhood Care and Education.

Non-Compliance Information

(4) One adult employed to work directly with children did not hold an appropriate qualification in Early Childhood Care and Education. A component Fetac Level 5 certificate for this adult was available for inspection.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider submitted a CAPA response on the 11th August 2023 which stated:

Corrective & Preventive Action

The service manager is liaising with a number of agencies in an effort to secure a position on a childcare course with an immediate start date for an employee working in the service.

Supporting documentation submitted

Written submission.

Summary Comment

While it is acknowledged that measures are being taken by the service manager to secure a position on a childcare course for an employee, the non-compliance remains outstanding.

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 the day of Inspection there were nine adults working with twenty seven pre-school children. The adult/child ratio in the service was correct.

(2) The written staff roster showed that the registered provider ensured that the minimum ratio of adults to children was adhered to in the service.

(8) (a) The service was not operated single-handedly, and 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:

- Adequate, suitable and varied food and drink was observed to be available for the pre-school child attending the service. Each child was given enough time to eat and enjoy their snack and meal. Most of the snacks were supplied by the parents and the main meal of the day was supplied by the service.
- The privacy and dignity of the children was respected especially at toileting.
- The children were encouraged and supported to manage their own personal care appropriate to their age and stage of development. Regular hand washing was observed by the children.
- The children enjoyed freedom of movement in the playrooms and in the outdoor areas.
- Rest facilities in standard cots and low-level beds were available for the children attending.
- The adults were positive and consistent in their approach to managing children's behaviour.

PHYSICAL AND MATERIAL ENVIRONMENT:

- There were four indoor playrooms in the service, and three of these were in use by the pre-school children. The fourth room was used for school aged care.
- The playrooms were laid out with uncluttered, clear floor spaces for the children to play safely.
- The rooms were well resourced, and children had the opportunity for different types of play and learning. A selection of children's creations was on display in the playrooms, work books and on the corridors.
- The facility had an enclosed outdoor play area adjacent to the playrooms which catered for the different age groups of children. A special section of this area was designated for babies. It contained an all weather surface. The outdoor area was well resourced with play equipment. The areas of interest included a climbing frame with a slide and swings and an area for ride on bikes, trucks and tricycles. The children also had access to the adjoining soccer field at the back of the premises for walks and nature exploration on fine days.

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 person in charge ensured that complete and accurate daily records of attendance were kept for all children and adults in the service. The entrance to the service was secured with a security system.
- The external outdoor play areas were secured and fire doors throughout the building were unobstructed.

Infection Control:

- Playrooms, communal, and sanitary areas were adequately ventilated by natural and mechanical forms of ventilation.
- There was liquid soap at the wash hand basins to facilitate hygienic hand washing for children and adults. Paper towels were provided in the dispensers in all the sanitary areas used by the children and adults to facilitate hygienic hand drying.

Administration of Medication:

- Appropriate documentation was available in the event that medication was required by a child attending the service. Medication was not administered in the service on the day of inspection.

Safe Sleep:

- Standard cots were available for children under 2 years of age and sleep beds were available for children aged over 2 years of age should they require sleep or rest.

Fire Safety:

- Monthly fire drills were carried out in the service.

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 present in the service had updated First Aid Responder training and the certificates were valid to November 2024. A further eight adults had Paediatric First Aid certification which was valid to February 2025.

(2)(a) There were suitably equipped first aid boxes stored in designated areas in the playrooms.

(b) The first aid boxes were available to the children attending the pre-school service 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 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 are available to show that fire drills were carried out on a monthly basis.

(b) A record of the number, type and maintenance of fire fighting equipment and smoke alarms were available on the premises with the most recent services having been completed on the 5th of May 2023.

(4) The fire evacuation procedures were displayed in conspicuous positions on the premises.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

The insurance certificate for the service was available and valid to 27th March 2024. The required cover was available for a maximum of 55 pre-school children who could attend at any one time.