

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015CE154		
<b>Name of Service:</b>	Westbury Preschool		
<b>Address of Service:</b>	46 Fernleigh, Westbury, Athlunkard, Co. Clare		
<b>Eircode:</b>	V94 H2TT		
<b>Name of Registered Provider:</b>	Catherine Hickey		
<b>Service type:</b>	Sessional		
<b>Date of Inspection:</b>	15/03/2023		
<b>No of pre-school children:</b>	AM	13	PM N/A

<b>Address of the Early Years Inspectorate:</b>	Quality and Regulation Directorate, Tusla Child and Family Agency Ennis Primary Care Centre Station Road Ennis County Clare V95TY4E
<b>Inspection undertaken by:</b>	Á. McCarthy
<b>Title:</b>	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

Westbury Preschool is located within a residential estate, in Westbury, County Clare. Thirteen children were present on the day of inspection. The service operates a sessional programme Monday to Friday from 09:00 to 12:00. The service operates from the registered provider's house in a detached two storey domestic dwelling. The programme of care and education is provided in one open plan room and in the outdoor area to the rear of the building.

## Staffing

On the 15<sup>th</sup> March 2023 four members of staff to include the registered provider worked directly with the children. The adults maintained a record of ongoing engagement in continuing professional development.

## 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, 15, 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.

## Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered provider, staff and the 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)(b)

The registered provider was the designated person in charge and a named person to deputise was available.

Four files were available for the registered provider and three members of staff.

(2)(a)

Five references with evidence of verification were available from past employers.

(b)

Three validated references were available from a source other than a past employer.

(c)

Garda Vetting disclosures were available for all the staff and members of the household.

(4)

The staff held Early Childhood Care and Education qualifications or an equivalent ranging from Level 5 to Level 7 on the National Framework of Qualifications.

### Non-Compliance Information

(2)(d)

International police vetting was not available in respect of three members of staff who had lived outside of Ireland for six consecutive months or longer as an adult.

### Corrective & Preventive Action submitted by the Registered Provider

**(2)(d)**

#### **Corrective and Preventive Action**

International Police vetting has been obtained in respect of the 3 staff members who have lived abroad. These International Police vetting documents are now available in each of the individual staff member files. Copies of these vetting documents have been submitted to the office of the Early Years Inspectorate. The manager will ensure that any person seeking employment in this service will provide an up-to-date CV so it can be assessed as to whether the candidate has resided outside of Ireland for longer than 6 months. Where this is the case, the person being offered employment will have International Police vetting before commencing employment within the service.

To eliminate possibility for error, a checklist page has been created and included in the Recruitment policy. The checklist includes a list of the necessary documentation required to be on file for each candidate, before commencing employment in this service. Going forward, all staff members will have completed staff files to include International Police vetting if required.

#### **Supporting documentation submitted**

A copy of the required police vetting disclosures for the three staff.

### Summary Comment

Based on the corrective and preventive actions and the supporting documentation provided by the registered provider the areas of non-compliance under Regulation 9 (2)(d) are addressed.

### 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.*

*(3) Subject to paragraph (5), a registered provider of a sessional pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 2 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) therefore at that reference number is satisfied.*

*(8)*  
*(c) a registered provider of a sessional pre-school service shall ensure that, where the person in charge operates the service single-handedly, a second person familiar with the operation of the service and in a position to provide assistance to the person in charge in operating the service is, at all times, within close distance of the service and available to attend the service to assist the person in charge in the event of an emergency.*

#### Compliance Information

(1)  
An adequate number of adults worked directly with the children attending the pre-school service at all times.

(3)  
The registered provider ensured that at all times a minimum ratio of adults supervised the children attending service. Four adults supervised the thirteen children attending the service during the inspection.

(8)(c)  
Not applicable, as the service is not operated single-handedly, there are four adults employed to care for the children in attendance.

## 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)  
Thirteen completed enrolment forms were available for the number of children in attendance. The forms detailed the required particulars outlined in (a)-(i).

## 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 pre-school service. On arrival the children were observed to be enjoying themselves, as they engaged in tabletop activities both individually and as part of a group. Throughout the morning session the children transitioned from self-directed free play to mealtime to outdoor play and the session concluded with relaxation techniques and story time. Mealtime was observed to be a relaxed and sociable occasion whereby the adults and children conversed amicably. The staff engaged with the children in a kind and caring manner and responded promptly to the children's individual needs.

The room was laid out with low level furniture, equipment and materials which were all accessible to the children. The wall was displayed with Saint Patricks Day decorations and the children's individual artwork. Areas of interest included a creative/art area, a rest area, an area with a dolls house and furniture, a shelving unit with manipulative toys for threading, various puzzles and learning games, a kitchen corner with supporting equipment, and a reading area. Each child had individualised "all about me" books which detailed the activities that had been completed and their artwork. The children's daily care and education was detailed in photographic illustrated sheets that are shared with the parents. The children played in the outdoor area in a covered section which sheltered them from the heavy rain. The outdoor area accommodated a bench for the children, a wooden playhouse, a slide, a sandbox and two planter areas with the children's plants. The shed stored hoola hoops, baby doll buggies, large wooden building blocks, cars and balance bikes.

### 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 service was secured appropriately to protect the children within and prevent unauthorised persons entering the service.
- The windows were secured with a childproof security system.
- Cleaning agents were stored safely out of reach of the children.
- Medication was stored out of reach from children.

##### Infection Control:

- The service was maintained in a clean condition. Completed cleaning schedules were recorded demonstrating the measures taken.
- Hot running water, liquid soap and paper hand towels were available at the wash hand basins and lined, lidded pedal operated bins were available in the sanitary facilities.
- Hand washing took place at regular intervals during the sessional programme. The children washed their hands after using the toilet and prior to eating. Visual aids were available to prompt the children to wash their hands at the wash hand basin.

##### Administration of Medication:

- Medications are not routinely administered in the service to date. A procedure was in place should the need arise relating to the administration of temperature reducing medication.

##### Safe Sleep:

- Two areas were available for the children rest and relax. The furnishings included a three-seater couch, a soft mat, pillows, cushions, and blankets.

##### Fire Safety:

- A fire action notice was clearly displayed.

- Fire exit routes were clear from obstruction with clear signage.
- Monthly fire drills were completed.

**Outing:**

- An outing was not undertaken during the inspection and outings have not taken place in four years however a service policy was available to inform the practice.

### 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)  
The registered provider had a record of up to date First Aid Responder training, the certificate was valid until July 2023.

(2)(a)  
A suitably equipped first aid box was stored in the pre-school room.

(b)  
The first aid box was available for use 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 fire drills were carried out in the service. The last recorded fire drill took place on the 28<sup>th</sup> February 2023.

(b)

A record of the number, type and maintenance record of firefighting equipment and the smoke alarm system were available. The most recent firefighting equipment maintenance service took place in November 2022 and the smoke alarm system maintenance service took place on the August 2022.

(4)

A fire action notice was clearly displayed in the service.

## Part VI – Safety

### Regulation 28 – Insurance

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

#### Compliance Information:

Adequate insurance cover was available for up to twenty-two pre-school children attending the sessional service. The policy is valid until the 27<sup>th</sup> March 2023.