

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015CN008
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Name of Service:	Ballyjamesduff Community Creche
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Address of Service:	Virginia Road, Ballyjamesduff, Co. Cavan
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Eircode:	A82 R282
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Name of Registered Provider:	Kevin Foley
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Service type:	Full Day
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Dates of Inspection:	23/07/2024
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Date 2 of Inspection:	24/07/2024
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No of pre-school children:	AM	25	PM	22
Day 2	AM	24	PM	22

Address of the Early Years Inspectorate:	Tusla Early Years Inspectorate Family Resource Centre, Commons Road, Navan, Co. Meath
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Inspection undertaken by:	AM Cunningham & D Murray
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Title:	Early Years Inspectors
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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

Ballyjamesduff Community Creche is a community based childcare service for pre-school children aged 0 to 6 years and is managed by a Voluntary Board of Management. The service provides full day childcare, part time and sessional care and education to children from 08.00am – 18.00hours Monday to Friday. The setting has capacity to accommodate 70 preschool children. School aged care is provided also. The service is located in a purpose-built single-story building which has four care rooms. A fifth care room is located in a single prefabricated building adjacent to the main building. There is a spacious outdoor play areas at the side and rear of the premises for use by pre-school children and school age children.

Staffing

The registered provider is not involved in the day to day running of the service and was not present for the inspection. The designated person in charge was present and facilitated the inspection. The service employs twenty-eight adults which includes the manager, assistant manager, 1 office coordinator, 17 childcare practitioners (one of whom is on long-term leave), 3 staff employed in the kitchen, 2 relief staff, 2 staff members who work with school aged children only, and a maintenance man.

On day one and two of inspection, the manager and 7 staff members were present, 2 staff members providing care to school aged children only, 3 kitchen staff, and one student.

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/ safety/ premises and facilities. The inspection may also focus on other areas as required.

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 inspectors wish to acknowledge the cooperation of the 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) The service had a designated person in charge and a named person to deputise as required.

(b) A designated person in charge was on the premises when the inspectors arrived unannounced to carry out the inspection.

(2) Twenty-eight staff files were reviewed and one student's file.

(a)&(b) Fifty-one validated written references were available either from a past employer or from a reputable source. Two validated references were also available for the student in the service.

(c) Garda vetting disclosures had been obtained for the twenty-eight staff members and the student in the service. However, the service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. Please refer to the information outlined under regulation 23 of this report.

(d) Police vetting was available for seven staff members who had resided outside the jurisdiction for a period of more than 6 consecutive months as an adult.

(4) All staff members providing direct care to children had a major award in Early Childhood Care and Education at Level 5 and above on the National Framework of Qualifications or a qualification deemed by the Minister to be equivalent.

Non-Compliance Information

2(a)&(b) Two staff did not have two validated references available and one staff member did not have a second validated reference available.

(d) Police vetting was not available for four staff members. One of whom required vetting from three separate countries.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

2(a)&(b) Two validated references are now on file for each staff member.

Ensure that all references are available and verified before staff member commences employment.

(d) Staff are working on obtaining police vetting from respective countries. Police vetting obtained has been submitted to the Inspectorate.

Supporting documentation submitted

References for the two staff members has been submitted to the inspectorate.

Police vetting for one staff member has been received.

Summary Comment

The registered provider has addressed the non-compliance in relation to staff references.

The non-compliance in relation to police vetting remains outstanding for 3 staff members.

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 there was an adequate number of adults working directly with the children attending the service.

(2) The adult to child ratios were correct and observed as follows:

Day One

- **Caterpillar Room:** Two staff members cared for 4 pre-school children (aged between 6 months and 19 months).
- **Butterfly Room:** Two staff members cared for 8 pre-school children (aged between 1 year 6 months and 3 years), all children were attending for full day care. A student was also present in this room.
- **Ladybird Room:** Three staff members cared for 13 preschool children (aged between 3 years and 4 years and 6 months).
- **Busy Bee Room:** Two staff members cared for 15 school aged children (aged between 6 and 12 years). A third staff member worked in the room from 12.30pm to 17.30pm.
- **Little Duckling:** this room was not in use on the day of inspection.

Day Two

- **Caterpillar Room:** Two staff members cared for 5 pre-school children (aged between 6 months and 19 months).
- **Butterfly Room:** Two staff members cared for 7 pre-school children (aged between 1 year 6 months and 3 years), all children were attending for full day care. A student was also present in this room.

- **Ladybird Room:** Three staff members cared for 12 preschool children (aged between 3 years and 4 years and 6 months).
- **Busy Bee Room:** Three staff members cared for 12 school aged children (aged between 6 and 12 years). A third staff member worked in the room from 12.30pm to 17.30pm.
- **Little Duckling:** this room was not in use on the day of inspection.

(8) On both days two staff members are present, at all times in the service as required by Regulation 11 (8), confirmed by the staff roster and staff attendance records.

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 following observations were made on how each child's learning, development and well-being was facilitated within the daily life in the service:

Basic needs:

- All children individual needs were met with additional care, attention and supervision given as required. Children rotated between their care rooms and the outdoor spaces during the day.
- Staff members were observed changing children's nappies regularly and in a timely manner with warm one-to-one interactions during direct care. Older children were encouraged to become independent and self-caring, suitable to their age and stage of development which included using the toilet, hand washing, caring for their belongings and tidying away after activities and play.
- Children were observed enjoying meaningful, sustained play with tabletop activities, art and crafts and free playing with lots of conversation and laughter observed. Staff supported children's learning with activities that were observed to be fun and creative.
- The staff members sat and chatted with the children at mealtimes, helping the children when required whilst encouraging conversation and extending interactions.
- In the Caterpillar room sleep was child led, children were placed to sleep as they required it while the older children were placed to sleep for a scheduled period of rest at the service's designated sleep time after dinner.

- Transitions were handled smoothly with children being given ample time to complete one activity before starting the next.

Supporting relationships around children:

- The staff spoke to all children in a positive way and listened attentively to each child. They used welcoming facial expressions and gentle vocal tones.
- The service showed a positive regard towards the families of the children and family links were nurtured in the service with family photographs displayed on “The Family Wall” in the care rooms which gave a sense of identity and belonging.
- Children and parents were greeted at drop off and collection with friendly conversations overheard. Staff took the opportunity to update parents on the children’s day in the service, this information was also shared on the service’s electronic devices which were updated throughout the day.

Part V - Care of Child in Pre-school Service

Regulation 20 – Facilities for rest and play

- (1) Subject to this regulation, a registered provider shall ensure that-
- (a) having regard to the number of pre-school children attending the service, their respective ages and the amount of time they spend on the premises, there are adequate and suitable facilities for each child to play indoors and, where required by these Regulations, outdoors, during the day, and
- (3) A registered provider of a full day care service, a part-time day care service or a childminding service, other than such a service to which paragraph (2) applies, shall ensure that-
- (a) a suitable, safe and secure outdoor space to which the pre-school children attending the service have access on a daily basis is provided on the premises,

Compliance Information

(1)(b) There are two cot rooms available in the service, one in the Caterpillar room with 4 standard cots and one in the Butterfly room with two cots standard cots for children under 2 years requiring sleep. Within the care rooms there were mats and cushions for children to take a break from activities and rest, if needed. Stackable beds were available for the children over 2 years requiring sleep.

(3)(a) There were 8 outdoor spaces in total which were divided by fencing, enclosed and had a combination of artificial grass/grass and cement. An additional outdoor space to the rear of the premises was not in use as maintenance work was needed. Partially sheltered areas permitted outdoor play in all types of weather.

Part V - Care of Child in Pre-school Service

Regulation 21 – Equipment and materials

A registered provider shall ensure that there is adequate and suitable furniture, play and work equipment and materials available on the premises of the pre-school service.

Compliance Information

Materials and equipment were available on low level shelving in the care rooms. This assisted children to select and replace items of interest independently. The rooms were bright and airy with artwork displayed. Home corners, construction areas, arts and craft were available. Some of the equipment in the outdoor spaces included sand/water tables, playhouses and kitchens, musical/pouring walls, ride on toys, digging pits, mud kitchens, tyres, goal posts, balls and benches.

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 had a weekly menu plan with a variety of food ranging from meat and poultry all prepared onsite by the cooks. On the day of inspection between 09:30 to 10am the children had a snack of fruit and yogurts for the younger children. While the older children took in a snack from home. Dinner was served at 1.00pm which consisted of chicken mash and vegetables. Afternoon snack was served between 3.00pm which consisted of sausage rolls and wedges. Water was the drink of choice.

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 following safety measures were in place on the day of inspection:

- The main door to the service was secured and the outdoor spaces were enclosed and had secure gates. These security measures ensured that a child did not exit unsupervised and restricted unauthorised persons from gaining access to the service and outdoor spaces.
- All cleaning agents were stored out of reach of the children.
- All furniture and display units had a stable base with no risk of toppling identified.

Safe Sleep:

Safe sleep practices were observed in the service as demonstrated by the following examples:

- The temperature of the cot room was maintained between 16 to 20^o C while children were sleeping.
- A sleep log recording the position, colour and breathing pattern was recorded at 10 minutes intervals on all sleeping children.

Fire Safety:

The following fire safety measures were observed:

- Fire drills were conducted on a monthly basis.
- The emergency exit doors were unobstructed.

Non-Compliance Information

General Safety:

1. Garda vetting was available for 13 staff members. However, these vetting disclosures were not dated within the previous three years in adherence to with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'

Infection Control:

2. Bins in the Butterfly room and the Caterpillar room were not foot operated and therefore an infection control risk due to repeat handling.

Corrective & Preventive Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

Garda Vetting that was outdated has been updated for 13 staff members.
Management to audit GV on file for all staff on a yearly basis.

Infection Control:

Bins were purchased for the Caterpillar and Butterfly room.
Staff to inform Manager of any dysfunctional bin.

Supporting documentation submitted

General Safety:

Garda vetting renewals were received for the 13 staff members.

Infection Control:

Photograph of new bins purchased submitted to the inspectorate.

Summary Comment

The response from the registered provider was reviewed and has addressed the non-compliances in Regulation 23.

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) Records demonstrated that the date and time of attendance and departure in respect of each pre-school child were recorded on a daily basis.
- (3)(a) All persons were approved by an employee prior to entry to the pre-school service.
- (b) Visitors were announced and approved by an authorised staff member on arrival, the visitors' details were entered into the visitors' book.

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 service provided evidence that a person had up to date First Aid Responders course and was available at all times to the children attending the pre-school service.
- (2)(a) and (b) A suitably equipped first aid box was available and safely stored in the premises

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. The last recorded fire drill was on the 17/07/24.
- (b) A record of the number, type and maintenance of firefighting equipment and smoke alarms were available on the premises. The firefighting equipment were serviced on 01/11/2023. The smoke alarms were last serviced on 29/08/23.

(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 registered provider ensured that the service was adequately insured for 85 children at any one time attending for full day care. The policy showed that the service was insured from 28th March 2024 to the 27th March 2025.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-
(e) equipped with adequate and suitable sanitary facilities.

Non-Compliance Information

(e) In the sanitary accommodation in the Butterflies room the two toilets available did not have doors to provide privacy for the children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(e) Two salon doors were fitted in both toilets in the Butterfly room

Supporting documentation submitted

Photograph of the salon doors submitted to the inspectorate.

Summary Comment

The response from the registered provider has addressed the non-compliance in Regulation 29.