

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015CN021
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Name of Service:	Dúanaire Kindergarten
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Address of Service:	Hall Street., Kingscourt, Co. Cavan
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Eircode:	A82 K577
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Name of Registered Provider:	Sheelagh Mc Cabe
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Service type:	Full Day
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Date(s) of Inspection:	24/05/2023
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No of pre-school children:	AM	80	PM	34
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Address of the Early Years Inspectorate:	Family Resource Centre, Commons Road, Navan, Co. Meath
Inspection undertaken by:	C Tunney and AM Cunningham
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
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Description of service

Dúanaire Kindergarten is an established childcare facility located within the community in Kingscourt, Co. Cavan. The childcare service provides full day care, part time and a sessional service to children aged from 0 to 6 years and school aged. The service participates in the Early Childhood Care and Education (ECCE) scheme. The service operates from 07:30 to 18:00 Monday to Friday in a purpose build two storey building. A Creche Room and a Playgroup Room is located on the ground floor level and two care rooms (Yellow Room and Red (ECCE) Rooms) are located on the first floor. Additionally, a sessional service (Studio Room) is facilitated from a detached wooden building located to the side of the pre-school. Other facilities include a kitchen, sanitary facilities (two nappy changing areas) and a sleep room. There are four outdoor play areas designated to specific age groups and a large parking area to facilitate drop off and collection

Staffing

The service employs 15 adults which includes the registered provider, one manager and one catering staff member. The registered provider of the service was the designated person in charge. The staff members providing care to pre-school children hold a major award in Early Childhood Care and Education on the National Framework of Qualifications. A staff member employed under Access and Inclusion Model (AIM) and a student was present. An out of hours private cleaning service attends after closing time.

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

The inspection was announced 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 Regulation 9 Management & Recruitment, Regulation 11 Staffing Levels, Regulation 15 Records of pre-school Child, Regulation 16 Record in relation to Pre-school service, Regulation 19 Health, Welfare & Development of Child, Regulation 21 Equipment and Materials, Regulation 23 Safeguarding Health, Safety and Welfare of Child, Regulation 24 Checking In and Out and Record of Attendance, Regulation 25 First Aid, Regulation 26 Fire Safety Measures and Regulation 28 Insurance. These findings are outlined within the relevant regulations within this report.

The five Pre-school Rooms were inspected namely The Creche, The Playschool Room, Studio Room (ECCE), The Yellow Room and Red Room (ECCE).

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 registered provider, 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, 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.

(3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.

(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) The registered provider had identified a manager and a named person to deputise as required.

(2) The registered provider confirmed there were no new staff employed since the last inspection in 2022 apart from a student adult on work experience. This file was reviewed on inspection. All other staff files were reviewed at the last inspection and met regulatory compliance following the inspection process.

(a) One written past employer reference was available and validated.

(b) In the absence of a second past employer reference a reference from a source other than an employer was available.

(c) Garda Vetting was available in respect of the student.

(4) All staff members held at least a major award in Early childhood Care and Education at Level 5.

Non-Compliance Information

(b) The registered provider or the designated person in charge were not present on arrival of the inspectors at 08.45am.

(d) Police Vetting was not available for the adult who had lived outside the state for a period of more than 6 consecutive months.

Corrective & Preventive Action submitted by the Registered Provider

Corrective & Preventive Action

Corrective Action

(b) On the morning of inspection, the manager was due to start work on day of inspection at 7.30am, however she was delayed.

(d) Registered provider was not aware that the student needed to obtain police vetting from her time in Australia. She was only there for 1 year. The application is in process and will be forwarded on once obtained.

Preventive Action

The registered provider and manager take turns coming in early. The day of the inspection was an exception, the manager would never be late, and this was a once off.

Management will ensure to get all relevant vetting for future staff.

Summary Comment

The response from the registered provider was accepted in relation to Regulation 19(b). However, Regulation 9(d) remains outstanding and will be reviewed at the next inspection.

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) There was an adequate number of adults working directly with the children (except as outlined below).

(2) In total 13 adults cared directly for 80 children including the registered provider and manager. Auxiliary staff included a kitchen and a maintenance /cleaning staff member. The adult to child ratio was correct from 09.00am.

- **Crèche** : Three staff members cared for 11 children aged between 1 year to 3 years, of which 9 children attended for full day care and 2 children attended for a sessional/part time day care. Additionally, one student was present.
- **Playgroup Room**: Two staff members cared for 16 children aged between 2 years to 3 years, of which 11 children attended for full day care and 5 children attended for a sessional / part time day care.
- **Red Pre-School Room**: Two staff members cared for 17 children aged between 3 years -6 years, of which 4 children attended for full day care and 13 children attended for a sessional service.
- **Yellow Pre-School Room**: Two staff members cared for 20 children aged between 3 years -6 years, of which 6 children attended for full day care and 14 children attended for a sessional service.
- **Studio Room**: Two staff members cared for 16 children aged between 3 years -5 years, of which 4 children attended for full day care and 12 children attended for a sessional service.

Non-Compliance Information

(1) The registered provider did not ensure that the adult: child ratios were maintained in accordance to the requirements of this regulations as outlined in the following examples,

- In the Pre-school Room, one adult cared for 8 children alone from 07.30am to 09.00am and was also observed opening the main door to parents leaving children unattended during this time. Two staff members were required.

(8) Two staff members were not present, at all times in the service as required by Regulation 11 (8) as evidenced from examination of the staff roster and staff attendance. On the day of inspection one staff member was on the premises alone from 07.30am to 08.00am when children were present.

Corrective & Preventive Action submitted by the Registered Provider

Corrective & Preventive Action

Corrective Action

(1) In the Pre school Room, the second staff member would usually have been the manager helping her but shee was delayed. Also, the day in question the door release button had broken the evening previous to the inspection. This meant the staff member was having to quickly leave the room and open it to parents in that room. All power must be turned off at the time to fix, which was why this was being done in the evening.

(8) Everyday there are 2 members of staff @7.30am. One manager and one staff member who opens. On a Tuesday and Thursday morning there are 3 members of staff here at @ 7.30am. On the day of inspection the manager who completes the rota had inadvertently omitted start times for the manager and the registered provider on the rota. This is usually done at the bottom of the rota as explained to the inspectors on the day of inspection.

Preventive Action

We are always ensuring that there are at least 2 members of staff in the building. The door release button was fixed the evening of the inspection. This will ensure staff members never have to leave the room. We are keeping a good eye on the number of children coming in the mornings to ensure that we have enough staff each morning. There is always a minimum of 2 staff members.

Summary Comment

The response from the registered provider has been accepted. Appropriate measures were put in place to avoid a reoccurrence. Regulation 11 has been adequately addressed.

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) Twenty-five registration forms were sampled and found to be appropriately completed with the required information as specified in sub-sections (a) to (i) in this regulation.

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 registered provider ensured that a record in writing was kept of the information as prescribed under Regulation 16 (a) to (k).

(3) The records were open to inspection by an authorised person.

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
- (b) appropriate and suitable care practices are in place in the pre-school service, having regard to the number of children attending the service and the nature of their needs.

Compliance Information

Basic Needs

- A variety of freshly prepared food was prepared on the premises by the chef who prepares food on a daily basis for the children attending the service. A menu plan was available for parents to view. Snack is provided by parents for all children in the morning and afternoon period. On the day of inspection snack consisted of fruit, cheese and bread sticks, and small sandwiches. Dinner was served in an age-appropriate consistency and consisted of broccoli, potatoes and meat served with a sauce in an age-appropriate consistency. In the Creche staff members sat with the children during dinner and communicated at the child's level, using appropriate tones of voice.
- The children were encouraged to be independent. The staff members assisted the younger children with their personal care as required.
- Nappy changing was carried out timely.
- The children availed of one of the four outdoor play areas which supported and promoted their gross motor development. The children in the Creche had direct access to the outdoor area, children were observed going in and out which promoted their independence and gross motor development.
- Quiet areas were also available in the care rooms, should a child need to take a break from activities and rest if required.

Supporting Relationships

- Positive engagement between the staff members and children were noted. The staff members demonstrated warmth and were kind to the children, sat on the floor and played with the younger children at their level. The staff used age-appropriate tones and smiling faces when communicating with the

children. The staff members in the Creche and Playgroup Rooms were predictable and named what was going to happen in advance which helped the younger children to manage.

- The staff members encouraged and supported the children in their play choices. their achievements were acknowledged and respected.
- Children were prepared for transitions in advance which helped the children to manage them well such as preparing for outdoor play and for returning indoors.
- In the Red Room, Yellow Room and Studio Rooms (ECCE Rooms) The children were seen engaged in meaningful play with their peers which provided opportunities for friendships.

Planning and Assessment

- Care routines, emergent interest boards and curriculum plans were displayed in the rooms. There was evidence that themes relating to the season or time of year were incorporated into the curriculum which offered the children a variety of interesting material to learn through fun activities.

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

There was an adequate supply of furniture, play and work equipment available in the service. The Creche Room contained a variety of play material including sensory material, natural products, soft toys, puzzles, kitchen unit with support equipment.

The Playgroup Room interest areas included a kitchen area with support equipment, activity sets, farm area, large blocks, puzzles, books, and Lego. Sensory play material was also available such as water and play dough. Play materials were displayed in clear containers that were visible and accessible to the children at low level.

The Red, Yellow Room and the Studio Rooms (ECCE Rooms) contained a variety of play material to support child directed play and different play experiences in each area. The designated play areas included home corner areas with kitchen material, construction areas with cars, trucks arts and crafts areas with painting, colouring opportunities and a quiet area for storytelling and quiet time.

The four outdoor areas available were assigned to different age groups and contained a variety of play materials to support the children’s developmental stages. The large grass areas contained material such as balancing beams, climbing frame, and sand box, messy kitchen area and large open space. Staff brought out play material to the Astro-turf area, and the enclosed space facilitated the children’s gross motor development. Additionally, two areas were available to the younger children which contained play material such as slides, small ride on cars and sand pits.

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 premises were appropriately secured to prevent pre-school children from exiting unsupervised and restrict unauthorised persons from gaining access to the pre-school.
- Cleaning agents were stored out of reach of children.
- Children’s attendance was recorded daily, staff members also recorded their attendance.
- All gates in the outdoor area were in good working order.
- A step down from the Creche to the outdoor area has been highlighted in bright colour to alert a child to this area.
- In the large outdoor area, a fence was placed securely where a large gap was noted to ensure the safety of the children attending the outdoor area.

Infection Control:

- Hand washing was carried out as recommended, children were encouraged to be independent, and assistance was given as required.
- Prior to the children’s meals, tables were cleaned.
- Warm running water was available in the children’s sanitary area, along with a supply of liquid soap, and foot operated bins.
- Nappy changing practice observed was carried out according to recommended practice.
- A system was in place to manage soothers and mouthed toys.
- The standard of cleaning throughout the service was good.

- Highchairs were noted in a clean condition.
- Play material throughout the service was in good condition and in a clean condition.

Administration of Medication:

- Medication was not observed been administered on the day of inspection. Records reviewed demonstrated that medication is now administered safely, the medication record form has been reviewed to ensure safe administration procedures are in place.

Safe Sleep:

- The sleep room contained seven cots which were maintained in a proper state of repair. Additionally, 3 low beds were available. Ten-minute sleep observations were carried out in relation to the child's colour, breathing status and position. A system was in place to store each child's linen in individual containers.

Non-Compliance Information

Infection Control:

1. Children's lunches in Yellow, Red and Studio ECCE Rooms were not stored in fridges to prevent the growth of food poisoning bacteria. This non-compliance was noted on the last inspection 07/07/22. The registered provider stated in the corrective action that going forward lunches will be stored in fridges however this was not the practice on the day of inspection.
2. Throughout the service snack was served directly onto the table and not on plates which was in variance to good infection control measures.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

- (1) On the day of inspection, the lunches were put in the fridge for the children who are staying on for full day care. Staff are ensuring each morning to put any perishable items yogurts etc in the fridge for all children. Parents are advised that this is our procedure.
- (2) On the day of inspection snacks were not served on plates or bowls. Management spoke with all rooms and stressed that plates must be used on a daily basis. This is basic hygiene. Management can confirm that this has been implemented since the day of inspection and will continue to do so.

Preventive Action

Staff are ensuring that all perishable items are being stored in the fridge on a daily basis. Appropriate bowls and plates are being used in all rooms at snack time to avoid food being served on the tables. Management is ensuring to keep an eye on these two areas.

Summary Comment

The preventative actions stated by the registered provider have been accepted by the inspectorate. Regulation 23 has been adequately addressed.

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) A record was kept of each child's time of arrival and departure on a daily basis by the staff members.

(3)(a) and (b) A system was in place to ensure that no person other than the children's parents / guardians, employees or authorised visitors can enter the pre-school. A visitor's book was maintained, there was evidence that visitors were requested to record their attendance, the inspector was requested to record her arrival and departure times.

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 ensured that a person who held in-date First Aid Response (FAR) training was at all times immediately available to the children attending the pre-school service. The manager and a staff member held in-date FAR training.
- (2)(a) and (b) The first aid boxes were suitably equipped and safely stored in readily accessible positions in the care rooms out of the reach of children.

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 record was maintained of fire drills which had been completed in the service. Based on the records maintained and as reported by staff members, fire drills were carried out monthly with the most recent fire drill recorded as having taken place on 19/05/2023.
- (b) A record was kept of the number, type and maintenance of the firefighting equipment and smoke alarms in the premises. The fire extinguishers were certified as having been serviced on 19/05/2022 and the smoke alarms on 10/05/2023.
- (4) Notices of the procedures to be followed in the event of a fire were conspicuously displayed in 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 95 children at any one time. The expiry date on the insurance certificate was 27/03/24.