

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015CN021
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<b>Name of Service:</b>	Dúanaire Kindergarten
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<b>Address of Service:</b>	Hall Street., Kingscourt, Co. Cavan
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<b>Eircode:</b>	A82 K577
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<b>Name of Registered Provider:</b>	Sheelagh McCabe
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<b>Service type:</b>	Full Day
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<b>Date of Inspection:</b>	29/05/2024
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<b>No of pre-school children:</b>	AM	95	PM	55
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<b>Address of the Early Years Inspectorate:</b>	Tusla Early Years Inspectorate Family Resource Centre Commons Road Navan, Co. Meath
<b>Inspection undertaken by:</b>	D. Murray & AM. Cunningham
<b>Title:</b>	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).

<b>Conditions if applicable</b>	Not Applicable
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### Description of service

Dùanaire Kindergarten provides a full day, part time, sessional care and education to children from birth to 6 years. A school aged service is also provided. The service participates in the Early Childhood Care and Education Programme (ECCE) and operates from 7.30am to 6.00pm.

The premises is a purpose build two storey building.

The rooms are as follows:

Downstairs:

The Creche room facilitates the care of children from 10 months to 2 years.

The Play school room accommodates children from 2 to 3 years.

Upstairs:

Montessori Rooms 1&2 provides care and education to children from 4 to 5 years.

Studio 1 (Separate wooden building outside) provides care for children from 2 years 8months to 4 years.

Studio 2 (Separate wooden building outside) caters for children from 3 to 4 years.

Other facilities include a main kitchen along with small kitchen areas off the Creche and Studio 1 rooms, sanitary facilities and a cot room. There are four outdoor play areas designated to specific age groups along with a balcony area off Montessori room 1 for messy play. A large parking area was available to facilitate drop off and collection.

### Staffing

The registered provider employs a manager, 14 childcare staff, a cook and 1 household staff member. Present on the day of inspection were the registered provider, manager, 12 childcare staff and a cook.

### 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.

A sampling process was used to assess compliance under regulation 20,21,22 & 23 regulations. As a result, the scope of the inspection included the Creche, Play school rooms and Studio 1&2 and did not include Montessori rooms 1&2.

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, 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.

(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) Eighteen staff files were reviewed.

(a)&(b) Thirty-three validated written references were available either from a past employer or from a reputable source.

(c) Garda vetting disclosures had been obtained for 18 staff. 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 3 staff members who had resided outside the jurisdiction for a period of more than 6 consecutive months as an adult.

(4) Fifteen childcare staff members 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) Three validated written references were not available either from a past employer or from a reputable source.

(d) Police vetting was not available for 1 staff member who had resided outside the jurisdiction in 2 different countries for a period of more than 6 consecutive months as an adult.

(4) One staff member did not have 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.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

(2)(a)&(b) Three validated written references are now available either from a past employer or from a reputable source. The registered provider and manager will ensure that all references are sought at induction before the staff member commences employment.

(d) Application has been made for police vetting for 1 staff member. This will be forwarded to the inspectorate when received. The registered provider and manager will ensure that police vetting where necessary will be obtained before the staff member commences employment.

(4) This staff member is currently completing her childcare qualification. The registered provider and manager will ensure that this staff member will not maintain ratio's and will always be supervised by qualified staff.

### Supporting documentation submitted

Three validated written references.

## Summary Comment

- 9 (2)(a) &(b) The registered provider in the Corrective Action and Preventive Action plan has addressed the non-compliances. The response received has been reviewed and accepted.
- 9 (2) (d)The registered provider has not addressed the non-compliances as police vetting has not been submitted to the inspectorate. This non-compliance remains outstanding.
- 9(4) The registered provider has not addressed the non-compliances as all staff members working directly with children must have a childcare qualification. This 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) Present on the day of inspection were the registered provider, manager, 12 childcare staff caring for 95 children.
- (2) On the morning of the inspection the following adult to child ratios were observed when the service was operating at capacity:
- The Crèche room had 15 children ranging in age from 10 months to 2 years being cared for by 3 staff.
- The Play school room had 12 children ranging in age from 2 to 3 years being cared for by 2 staff.
- Montessori room 1 had 17 children ranging in age from 4 to 5 years being cared for by 2 staff.
- Montessori room 2 had 14 children ranging in age from 4 to 5 years being cared for by 2 staff.
- Studio 1 had 18 children ranging in age from 2 years 8 months to 4 years being cared for by 2 staff.
- Studio 2 had 19 children ranging in age from 3 to 4 years being cared for by 2 staff.

(8)(a) The registered provider ensured that there were always two adults on the premises when the service was in operation, as evidenced in the staff roster maintained in the service.

### 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:

- Staff members were observed changing children's nappies regularly and in a timely manner with warm one-to-one interactions during direct care. Staff members were responsive to the children's cues should they need to use the toilet, with discreet supervision provided and assistance given if required.
- In the Creche room any child who became upset were nurtured and cuddled until they settled. Sleep practices were child led with some children availing of an early morning nap while the older children were placed to sleep for a scheduled period of rest at the service's designated sleep time after dinner.
- Children were encouraged to become independent and self-caring, suitable to their age and stage of development which included hand washing, caring for their belongings and tidying away after activities and play.
- The staff members sat with the children at snack and dinner time helping the children when required whilst encouraging conversation and extending interactions.
- Staff supported children's learning with activities that were observed to be fun and creative. There was a variety of themes in the different care rooms such as "Summer Holidays", "Wildlife" and "Flowers" with children's artwork displayed to reflect these themes. In Studio 1 the story at circle time related to gardens with the staff giving the children the opportunity to talk about their gardens at home.
- The service embraces outdoor play and learning. Children were observed enjoying imaginative, energetic outdoor play with both their peers and staff members. Each room had a designated outdoor space.

### Supporting relationships around children:

- The staff members were observed to be very caring, kind and attentive in their interactions with the children and demonstrated sensitivity and responsiveness to each child's individual needs, likes and preferences. The children showed confidence around the staff members and sought out staff members for reassurance, comfort and support.
- Individual programs of care were available for children who required them.
- In the Crèche and Play school rooms a written record was kept in the children's individual books regarding activities pertaining to their children which was sent home on a daily basis.

### Non-Compliance Information

#### Basic needs:

1. In the Crèche room, two children were placed in chairs with harnesses, their feet were swinging with no footrest available to provide stability.

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

#### Corrective and Preventive Action

1. High chairs with no footrests have been removed. Staff members have been informed to ensure that footrests are available on all highchairs.

#### Summary Comment

The registered provider in the Corrective Action and Preventive Action plan has addressed the non-compliances the response received has been reviewed and accepted.

### 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-

(b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.

(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) The cot room had 7 standard cots for children under 2 years requiring sleep. The Play school room had stackable beds placed on the floor for the children over 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.

(3)(a) The service had 4 outdoor spaces which were located to the rear and side of the building. An outdoor balcony was also available off the Montessori room 1. Three of the outdoor spaces were enclosed with a variety of surfaces consisting of a low impact all weather surface, paving stones, artificial grass and real grass with secure side gates.

## 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. Children were observed to access the materials independently. Equipment in the outdoor spaces included wooden unit with swings and slides, sand pits, ride on scooters and tricycles, small slides, plastic activity units. The grass area behind Studio 2 equipment included a see-saw, balance beam, wooden wigwam, tyre, swing, small slide, sand play, mud kitchen, large plastic house, and an area that children could play in the hedging.

### Non-Compliance Information

1. In all 4 care rooms inspected areas of interest were poorly developed with little supporting equipment and materials to enhance the themed areas. For example: In the Crèche and Play school rooms kitchen equipment was available but not placed with the kitchen. Animal baskets were available but not placed with the animal sheds. Construction play equipment was available but not stored with the construction

table. In Studio one there was limited support equipment with the toy kitchen, many of the books available were tattered or torn, the car garage had only two cars available.

2. Equipment and materials were placed on linear shelving and in baskets with no visual labelling.

The physical indoor environment should be stimulating, challenging, diverse, creative and provide an enriching experience for all children to ensure meaningful sustained play.

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

#### Corrective and Preventive Action

1&2 All rooms will be upgraded with new play equipment and areas of interest during the summer.

#### Summary Comment

The registered provider in the Corrective Action and Preventive Action plan has not addressed the non-compliances. These non-compliance remains outstanding.

## 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 menu plan for the main hot meal with a variety of hot dishes ranging from meat and poultry cooked on site for the children attending the full day care service. The dinner served on the day was beef mince, potato, and broccoli. The children bring their own morning and afternoon snacks. Individual drink cups and containers were available in the care rooms.

## 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 3 of 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 the 3 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.

#### Infection Control:

The following infection control measures were observed:

- The hand washing policy and nappy changing policy were implemented in practice with appropriate hand washing for staff and children at all times.
- The service was clean with cleaning schedules maintained on a daily basis.
- All pacifiers were stored in individual boxes in the cot room.

#### Safe Sleep:

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

- Temperature of the cot room was maintained between 16 to 20<sup>o</sup> C and between 18 to 22<sup>o</sup> C in the Play school room while children were sleeping.
- A sleep log recording the position, colour and breathing pattern was recorded at 10 minutes intervals on all sleeping children.
- Block out blinds were available which created an atmosphere conducive to sleep.
- Children sleeping on stackable beds were supervised at all times.

#### 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 9 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'.
2. The large outdoor grass area was not secure as there were footholds between the panels of the fence adjacent to the car park.

### Infection Control:

3. In the nappy changing area off the Crèche room the bin for disposal of nappies was not pedal operated and in the kitchen off the room the bin for disposal of food was an open top bin. In Studio 1 the bin for general waste including food had no lid.  
All nappy bins and bins for food and contaminated waste must be pedal operated and have a non-touch mechanism.

### Administration of Medication:

4. Medication forms in Studio 2 were not always signed by a second staff member who witnessed the medication administration for example on the 25/01/24, 30/01/24 and 22/02/24. Parent consent was not always obtained on the medication form for example on the 25/02/24, 30/01/24, 22/02/24 and the 28/02/24.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

##### General Safety:

1. Garda vetting has been applied for all staff members whose vetting were out of date. The registered provider and manager will ensure that the expiry dates are checked on all garda vetting on a regular basis.
2. Net fencing has been put on the wooden fencing adjacent to the car park to avoid foot holds. The registered provider and manager will ensure while doing their daily outdoor risk assessment that this net fencing remains in place.

##### Infection Control:

3. Two pedal bins have been purchased. One has been placed in the Crèche room nappy changing area and one in the Crèche room kitchen area. The registered provider and manager will ensure that pedal bins are available on a daily basis.

##### Administration of Medication:

4. These medication forms have all been signed. Management have spoken with all staff members on the importance of ensure that all medication forms are signed by a witness and consent for the administration of medication obtained from parents. This practice will be monitored on a daily basis.

### Supporting documentation submitted

#### **General Safety:**

Photographic evidence of the net fencing on the wooden fence adjacent to the car park.

#### **Infection Control:**

Photographic evidence of the two pedal bins.

### Summary Comment

In relation to the non-compliances in points 2 and 3, the responses received have been reviewed and accepted. Regarding non-compliance 4, the registered provider has addressed the non-compliance, however this practice will be reviewed at the next inspection.

However, in relation to the non-compliance regarding Garda Vetting renewal, this has not been satisfactorily addresses, as evidence of up to date garda vetting has not been submitted to the inspectorate. This non-compliance remains outstanding.

## 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) A written record was available of the fire drills completed in the service. The last recorded fire drill took place on 14/05/2024.
- (b) A record was maintained of the mains powered smoke alarms and firefighting equipment on the premises. The mains powered smoke alarms were last serviced on the 24<sup>th</sup> July 2023. The firefighting equipment was last serviced 23<sup>rd</sup> May 2024.
- (4) A notice of the procedures to be followed in the event of a fire was 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 112 children at any one time attending for full day care. The policy showed that the service was insured from 28<sup>th</sup> March 2024 to the 27<sup>th</sup> March 2025.

### Part VII - Premises and Space Requirements

#### Regulation 29 - Premises

*A registered provider shall ensure that the premises of the service are-*

- (c) kept adequately lit, heated and ventilated.*

## Non-Compliance Information

(c) There was no means of heating in the sanitary facilities in Studio 1.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

(c) Two heaters have been purchased and installed in the toilets in studio 1.

### Supporting documentation submitted

Photographic evidence of a heater mounted to a wall.

## Summary Comment

The registered provider in the Corrective Action and Preventive Action plan has addressed the non-compliance. The response received has been reviewed and accepted.