

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DL054
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Name of Service:	Magic Minds Pre-School and Early Years Services
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Address of Service:	Inver Community Centre, Coolshannon, Inver, Co. Donegal
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Eircode:	F94 FVC0
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Name of Registered Provider:	Susan Kingdon
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Service type:	Sessional
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Date of Inspection:	05/11/2024
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No of pre-school children:	AM	14	PM	-
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Address of the Early Years Inspectorate:	Donegal Early Years Inspectorate, St. Conal's Campus, Letterkenny, Co. Donegal. F95 XK94
Inspection undertaken by:	L McGlynn and K Folan
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

Magic Minds Preschool and Early Years Service is a sessional pre-school for children aged 2 to 6 years in the rural townland of Inver, Co. Donegal. The opening hours are from 9.30am to 12.30pm, Monday to Friday. The service operates from a designated room within a community centre building with sanitary accommodation for children adjacent to the room. Additional sanitary accommodation for both staff and children is available in the main community centre building.

Staffing

There are four staff working directly with the preschool children on a daily basis and this includes the registered provider. An additional staff member is available if needed to cover staff absences. One staff member is funded through the Access and Inclusion Model (AIM). All staff members hold a major award in early childhood care and education on the National Framework of Qualifications.

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. 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 registered provider, staff and children who were present on the day of the inspection.

Part III – Management and Staff

Regulation 9 – Management and recruitment

(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

The employment records of the five staff members employed in the service were reviewed on the day of inspection.

(2) (a) and (b) Two written and validated references from past employers or a source other than a past employer were available for three staff members.

(c) Garda vetting disclosures had been obtained for the five 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.

(4) Evidence of completion of a major award in Early Childhood Care and Education at level 5 or above on the National Framework of Qualifications was available for the five staff members.

Non-Compliance Information

(2) (a) (b) It could not be determined if the two references on file for one staff member were from past employers as there were no past employers listed on their employment record.

The second reference on file for one staff member was from a source other than their most recent past employer or a past employer listed on their employment record.

(2) (d) It could not be determined if police vetting was required for one staff member as there was significant gaps in the employment history detailed on their curriculum vitae.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2) (a) (b) (d) All CV's have been updated. I was unaware beforehand that the references had to be most recent, now I am aware I will ensure when looking for references in future that they are most recent. Management will check staff files on a yearly basis before restarting in September.

Supporting documentation submitted

Copies of references and CV's were submitted.

Summary Comment

The inspector has reviewed the information submitted, the non-compliances identified under Regulation 9 have been adequately 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.*

Compliance Information

- (1) On the morning of the inspection, there were an adequate number of adults working directly with the children attending the pre-school service.
- (3) There were three adults working directly with 14 preschool children on the day of the inspection.

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.

(2) A registered provider shall ensure that-

(a) all documents and records relating to references and Garda and police vetting obtained under Regulation 9(2) are retained for a period of 5 years from the date on which the person to whom the document or record relates commences working in the service, and

(b) a record referred to in subparagraph (h), (j) or (k) of paragraph (1) is retained for a period of 2 years from the date on which the child to whom it relates ceases to attend the service, or in the case of a preschool service in a drop-in centre or of a temporary pre-school service, for a period of 2 years from the date on which the child attends 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) On the day of the inspection, it was found that the service kept a record of the required information at (a) to (k) as required.
- (2) The registered provider confirmed that records as detailed in the regulation are retained for the required timeframes.
- (3) The registered provider made the written records available to the inspectors on request in the service.

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

The preschool room contained adequate child sized tables and chairs for each of the children attending. Boxes containing musical equipment, motor vehicles, construction blocks, puzzles, open ended play materials, chalkboards and train sets were neatly arranged on low level shelving which was easily accessed by the children in the preschool. The room had distinct areas of interest including a home corner with play food, a dress up area with costumes and an area with soft couches and matting for resting and reading. The room had sensory trays and a water tray however these were not in use during the inspection.

In the outdoor area, a selection of trikes and ride on toys were available to the children. A set of goalposts, a climbing frame provided for children’s gross motor development.

In a separate area of the garden there is a large polytunnel housing a sand pit, child sized tables and chairs, a soft matting area, construction toys and vehicles which was in use on the day of inspection.

Outside of the polytunnel there was a large swing set with three swings and a two-seater rocker. This was in use on the day of inspection and the children were observed using the swing set together.

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 and outdoor play areas were secured to prevent children from leaving the service unsupervised.
- The equipment and furniture in the preschool room were observed to be maintained in a good state of repair.
- Equipment in the outdoor area was safe for use by the age group of children attending.
- Cleaning materials were stored securely and were inaccessible to children.

Infection Control:

- Liquid soap, running water and paper towels were available in the children's sanitary accommodation to allow for handwashing. Children were observed washing their hands throughout the day, after returning from indoors and after using the toilet.
- Ventilation was provided by means of openable windows.
- The equipment in the polytunnel was maintained and soft furnishing were appropriately stored when not in use to prevent mould or damp. The sand pits in the outdoor play area were covered to prevent the risk of contamination.

Administration of Medication:

- No medicine was administered on the day of inspection. However, the registered provider kept a record of medicine administered previously which was in line with the service's policy on the administration of medication.

Fire Safety:

- Emergency exits were unobstructed.

Non-Compliance Information

General Safety:

1. Garda vetting was available for three 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. Entry to the service was gained via the main community centre door which was unsecured and used by the general public on the day of inspection. The service did not have a mechanism to secure the entrance to the preschool room to prevent the risk of unauthorised entry.

Infection Control:

3. Cleaning equipment including a floor cleaner, brush and pan was stored in the general play area posing an infection control risk to children. There were also no records maintained in the service to demonstrate that routine cleaning took place.
4. Waste was not disposed of in line with infection control guidance. General waste in the preschool room and paper towels in the sanitary accommodation were disposed of in open top or lidded, hand operated bins.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. Staff who were not covered have not been working directly with children and relief staff was brought in. Vetting was applied for. Garda vetting will be checked every august before reopening before new term to ensure it is valid.
2. A temporary safety catch has been put in place and a maintenance man is booked to fit new snip when arriving tomorrow. A permanent snip is being put on door and a sign to remind staff to ensure it is in place at all times.

Infection Control:

3. Cleaning sheets have been placed on wall and we been given use of small storeroom beside preschool to store cleaning utensils. A staff member has been given the role of ensuring cleaning sheets are printed on a monthly basis and a sign has been put up to remind staff to put all cleaning equipment away.
4. All new bins have been introduced to the room and children have been shown how to properly use them. We have added cleaning and maintenance of bins to cleaning list to ensure they are all maintained

Supporting documentation submitted

Images were submitted with the CAPA response.

Summary Comment

The inspector has reviewed the information submitted. The non-compliances identified under Regulation 23 have been adequately addressed.

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) There were two staff members working in the pre-school service who had documentary evidence of training in first aid for children.

(2) (b) The location of first aid equipment was easily accessible to staff.

Non-Compliance Information

(2) (a) The first aid box did not contain a sufficient quantity of in date recommended contents for the numbers of children catered for. This included insufficient sterile unmedicated wound dressings, eye pads and plasters.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2) (a) New materials were purchased. One staff member has been made responsible for checking the first aid box on a monthly basis.

Supporting documentation submitted

An image of first aid supplies was submitted.

Summary Comment

The non-compliance identified under Regulation 25 has been addressed.

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) (b) A record was kept of the number, type and maintenance of the firefighting equipment and smoke alarms located in the pre-school. Firefighting equipment was last serviced/inspected in April 2024 and the service had a written record confirming that the fire alarm system was serviced and tested in May 2024.
- (4) The staff were conversant on the procedure to follow in the event of a fire and the designated fire assembly point. The procedure for evacuation of the building was on display in the main corridor and the registered provider confirmed that this would also be placed within the preschool room.

Non-Compliance Information

- (1) (a) There were no records available to demonstrate that a fire drill had taken place in the service. In discussion with the registered provider, it was confirmed that no fire drills had taken place since the service reopened in September 2024.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (1) (a) A fire drill was carried out. One staff member has been made responsible for keeping fire records and fire drills have been added to monthly plans.

Supporting documentation submitted

An image of a fire drill record was submitted.

Summary Comment

The non-compliance identified under Regulation 26 has been addressed.