

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier: TU2015DL057

Name of Service: Kiddly Winks Childcare

Address of Service: Ballintra Community Centre, Ballintra, Co. Donegal

Eircode: F94 X7TD

Name of Registered Provider: Denise Gallagher

Service type: Part Time

Date of Inspection: 28/11/2023

No of pre-school children:	AM	15	PM	11

Address of the Early Years Inspectorate: Donegal Early Years Inspectorate,
St. Conal's Campus,
Letterkenny,
Co. Donegal.
F95 XK94

Inspection undertaken by: L Mc Glynn

Title: Early Years Inspector

Authority to Inspect

The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(J) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).

Conditions if applicable Not applicable

Description of service

Kiddly Winks Childcare, is a privately owned pre-school service located in the rural village of Ballintra in County Donegal. The service offers part-time and sessional pre-school care to children aged between two and six years. The service is also registered to provide school age care. The pre-school operates from a purpose-adapted premises based on the grounds of a community centre. There are two pre-school rooms, namely, Ladybirds and Butterflies. A designated outdoor play area to which children have daily access is available along with other facilities to include storage areas, an office, staff toilet and children's sanitary facilities.

Staffing

There are seven staff members currently employed to work in the service which includes the registered provider who is on the premises on a daily basis. There is one staff member employed to work solely with school age children and one staff member employed to serve food. The remaining five staff members work directly with the preschool children.

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, safety and premises and facilities. The inspections may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9, 11, 23, 25, 26, 28 and 29.

Inspection findings are documented in the inspection report which is first issued in draft format to the service with an opportunity to respond to any findings. Where statutory requirements are identified as not being met, the registered provider must demonstrate how they have rectified the non-compliance and will prevent any non-compliance from re occurring. The Corrective Action and Preventive Action plan (CAPA) will be used to inform decisions about compliance with regulatory requirements. Where the registered provider fails to meet the statutory requirements an escalation process may be commenced.

The inspectorate reserves the right to edit responses received for reasons including clarity, completeness and compliance with administrative and legal processes.

The contents of the report are compiled by the inspectorate body.

Acknowledgments

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

Records were reviewed and confirmed by the registered provider that there have been three staff members recruited to the service since the last inspection. In respect of the above-listed elements of Regulation 9(2) and (4), personnel files for the three staff members were reviewed. The following vetting information was available:

- (2) (a) There were four past employer references on file for the three staff members.
- (b) There was one reference from a source other than a past employer on file for one staff member.
- (c) A vetting disclosure from the National Vetting Bureau of the Garda Síochána was on file for the three staff members.

(4) Evidence of completion of an award in Early childhood Care and Education at Level 5 on the National Qualifications Framework was on file for two staff members and not required for the third staff member.

Non-Compliance Information

(2) (a) A second past employer reference was required for one staff member.

- (d) International police vetting from the relevant state was not available for one staff member whose employment record demonstrated that they had lived outside of the state for a period greater than six months.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (a) The staff member presented a second reference which is now on file.
- (d) The police vetting was applied for and is now on file.

Supporting documentation submitted

A copy of a reference and a vetting disclosure was submitted with the response.

Summary Comment

The documentation submitted by the registered provider has been accepted in meeting the requirements of the regulation.

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.

Compliance Information

- (1) There was an adequate number of adults working directly with the pre-school children attending the service throughout the period of inspection.
- (2) On the morning of inspection there were 15 children attending the service, being cared for by four adults. There were four children in the ladybird room cared for by two adults and 11 children in the butterfly room cared for by two adults. All the children attending the service were aged between two and four years.

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 entrance to the building was secured to prevent unauthorised access. The kitchen area was inaccessible to children as were storage areas containing harmful or unsafe items. Daily use cleaning supplies were kept on high level shelves out of children's reach in the rooms. The toys and equipment were appropriate for use by the children attending, given their age and stage of development. The equipment in the outdoor play area appeared safe for children's use with no evidence of hazards.

Infection Control:

Thermostatically controlled warm water, liquid soap and single use paper towels were available at wash hand basins for children to effectively wash their hands. Children were observed washing their hands at appropriate intervals including after using the toilet and returning indoors from outdoor play. The service had a system in place for the effective management of cleaning cloths with a colour code displayed in each room to prevent cross contamination. Cleaning records were maintained of each of the areas in the service to be cleaned and the frequency by which it is completed. Records were noted to be maintained up to date. There was a refrigerator in each of the rooms for the safe storage of perishable food items. Foot pedal operated bins were provided in all areas for the safe disposal of waste. Each of the rooms were ventilated by way of openable windows and children played outdoors for periods of the day.

Safe Sleep:

A supply of stackable floor beds was available in the service should children require sleep while attending. The beds were assessed and noted to be clean and well maintained.

Fire Safety:

All fire exits were free from obstruction and documented records of fire drills carried out in the service evidenced that these occur on a monthly basis.

Non-Compliance Information

General Safety:

1. While it is acknowledged that children were closely supervised at all times while playing in the outdoor area. The dense hedging bordering one section had worn away in parts creating a vulnerable spot whereby children could potentially exit the service on to the road in front.
2. There was a filing cabinet in the butterfly room which was rusted and broken posing a safety risk to children.
3. A large tuff tray in the butterfly room was badly cracked posing a risk of injury to a child.

Infection Control:

4. There was a pest control box on the floor in the entrance hall which children could potentially access posing an infection control risk.
5. The soft seating in the ladybird's room was covered in a loose-fitting protective cover that exposed the torn material underneath. The exposed material could not be adequately cleaned and therefore posed an infection control risk.
6. A storage area in the children's sanitary accommodation was used to store children's spare clothes, toys and play equipment and supplies of paper towels. The storage of such items in the sanitary accommodation poses a risk of cross contamination.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. A wire fence was put up for extra caution. There are daily risk assessments done in the outdoor area to always ensure the children's safety from the road.
2. This has been removed from the service.
3. This has been removed from the service.

Infection Control:

4. The box is now lifted during service times and the children are never in this area unsupervised.
5. This was removed from the service and new seating was purchased.
6. The storage area has been looked at and redesigned to include a sluice room and separate storage room.

Supporting documentation submitted

A number of images were submitted to evidence compliance.

Summary Comment

The information and evidence submitted by the registered provider has been accepted in addressing the non-compliances identified on inspection.

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 was documentary evidence to demonstrate that staff had completed appropriate training in first aid for children with additional staff scheduled to attend training in the coming weeks.

(2)(a)(b) A suitably equipped first aid box was stored in a conspicuous position in the room. This was easily accessible to the staff should a child who they were caring for in the service require first aid treatment.

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.

(2) The record referred to in paragraph (1) shall be open to inspection by-

(a) a parent or guardian of a pre-school child attending or proposing to attend the pre-school service,

(b) an employee, and

(c) an authorised person.

(3) A registered provider shall ensure that a record referred to in paragraph (2) is retained for a period of 5 years after its creation

(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) There was a written record of fire drills that had taken place in the service.

(b) A record of the number, type and maintenance record of the firefighting equipment and smoke alarm system was maintained. The most recent maintenance record for firefighting equipment was dated June 2023 and for smoke alarms was September 2023.

(4) The registered provider confirmed the exit route and procedures to be followed. A notice of which was displayed the exit point of the building.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

The service was adequately insured to provide sessional and part time daycare for up to 22 children with an expiry date of 27 March 2024.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

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

- (a) of sound and stable structure,*
- (b) safe and secure,*
- (c) kept adequately lit, heated and ventilated*
- (d) cleaned, maintained and repaired, as required, and*
- (e) equipped with adequate and suitable sanitary facilities.*

Compliance Information

- (a) The building appeared, on visual inspection, to be of sound and stable structure with no obvious structural defects.
- (b) Measures had been taken to prevent children exiting the premises unsupervised or the unauthorised entry of external persons. The boundary of the premises was secured with stone walls, fencing and dense hedging. There were secure gates at the entrance to the building and the entrance door was secured to prevent unauthorised access. All exit routes were secured from the inside with access and egress controlled by staff.
- (c) Both preschool rooms were adequately lit by glass panelled windows which was supplemented by overhead ceiling lights fitted with protective covers. The air temperature in the rooms was maintained within the required range of 18-22°C. The preschool rooms and sanitary accommodation were ventilated by way of openable windows.
- (d) There was evidence of routine cleaning of the toys and play equipment with records detailing same.
- (e) There was adequate sanitary accommodation for the number of children registered to attend the service. There were three toilets and three wash hand basins in the children's sanitary accommodation. One of the toilet cubicles could be used as a nappy changing area as there was a wall mounted nappy changing unit within it. There was separate sanitary accommodation for staff use.

Non-Compliance Information

- (e) There were a number of areas and items that required general maintenance and repair as follows:
 - The paint was chipped on the wall of the butterfly room and required repainting.
 - The paint on the skirting board in one area of the butterfly room had worn off.
 - A plastic film that had been placed over play items such as the small play kitchen in the butterfly room was peeling off in the corners.
 - The hinge on the door of a storage unit in the sanitary accommodation was broken causing the door to hang loosely.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (e) Both rooms have been repainted. The plastic fil has been removed and the cabinets have been repainted. The hinge on door has been repaired and the unit will be replaced when work is been carried out on new sluice room.

Supporting documentation submitted

A number of images were submitted to evidence compliance.

Summary Comment

The information and evidence submitted by the registered provider has been accepted in addressing the non-compliances identified on inspection.