

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DL074			
Name of Service:	Little Stars Pre-school (Moville)			
Address of Service:	8 Bath Terrace, Moville, Co. Donegal			
Eircode:	F93 HYOH			
Name of Registered Provider:	Katie Fitzpatrick			
Service type:	Part Time, Sessional			
Date of Inspection:	12/10/2023			
Date 2 of Inspection:	13/10/2023			
No of pre-school children:	AM	19	PM	N/A
Day 2	AM	18	PM	N/A
Address of the Early Years Inspectorate:	Donegal Early Years Inspectorate, St. Conal's Campus, Letterkenny, Co. Donegal. F95 XK94			
Inspection undertaken by:	N McEndoo			
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

Little Stars Pre-school is a privately operated early years 'service. The service is located on the main street of the seaside town of Merville, north Donegal. It is a part-time day care service catering for children aged 2-6 years of age. The service is registered to operate from 9:00hrs to 14:00hrs weekdays which includes a three-hour morning sessional service. There is also a school age service provided in the afternoon.

The service operates from a commercial unit modified to accommodate the early years' service. There are two care rooms, one at street level and one at a lower level. The service also has the use of a garden area that has been developed into a dedicated outdoor play space, with herb garden and vegetables. The garden is located off the lane, behind the main building. The space consists of a polytunnel structure and a covered shelter to protect children from the elements. Children have access to a public playground and a small, beached shore a few minutes' walk from the outdoor area. The service is embedded in the local community, and regularly engages with local members who support the service in maintaining and enhancing the experience of the children attending.

Staffing

The registered provider works in the service along with four staff members. There is also one relief person familiar with the service if required. All staff, including the registered provider hold a qualification in early childhood care and education at Quality and Qualifications Ireland, (QQI) at level 5, or above on the National Framework of Qualifications (NFQ).

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, safety and welfare of child. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9 Management and recruitment, 11 Staffing levels, 15 Record of a pre-school child, 23 Safeguarding health, safety and welfare of children, 22 Food and drink and, 24 Checking in and out and record of attendance.

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, person in charge, staff and children who were present on the days 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,
- (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

(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 ensured that,

- (a) There is a designated person in charge and a named person to deputise as required.
- (c) There was 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.

(2) On day one of the inspection, it was confirmed with the designated person in charge that the vetting files for one staff member had not been previously reviewed.

The following vetting information was available for 6 staff members:

- (a) 2 written validated references from past employers for one new staff member.

(c) Vetting disclosures from the National Vetting Bureau of the Garda Síochána for 6 staff.

(4) Certification of a major award in Early childhood Care and Education at Level 5 on the National Qualifications Framework or above was available for the one new staff member whose file was reviewed.

Non-Compliance Information

(1) (b) On day one of the inspection, the registered provider did not ensure that, the designated person or a named person to deputise, was on the premises. When the inspector arrived at the premises at 10:25hrs to carry out an unannounced inspection, there was no person in charge available. The inspector made contact by phone and there was no response. At 11:40hrs, the inspector returned to the service, the person in charge was present. The inspector was unable to contact the person in charge until 11.40hrs. It is acknowledged that the group of children, staff and person in charge were together, offsite on an outing during this time.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Phone number has been updated with the inspectorate to ensure contact can be made in future.

Supporting documentation submitted

Confirmation received to the inspectorate that phone number has been updated.

Summary Comment

The information submitted by the registered provider has been reviewed and the non-compliances found on inspection in relation to regulation 9 (1)(b) have been addressed. This regulation is now compliant.

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) The registered provider ensured that there was an adequate number of adults working directly with the children attending the service. On day one when the inspector arrived unannounced to the service there were 3 staff members working directly with 19 children. On day two when the inspector arrived there 3 adults working directly with 18 children.

(2) The registered provider ensured that on the day one and day two of inspection, the adult to child ratio was always maintained at the minimum specified ratios.

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.

(2) A registered provider of a pre-school service in a drop-in centre or of 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 particulars specified in subparagraphs (a), (d), (e) and (f) of paragraph (1).

Compliance Information

(1) On day one of the inspection, a sample of 10 children's registration forms were reviewed with the samples selected by the inspector. There was a record in writing containing the following particulars for each of these children.

(a) The name and date of birth of the child.

(b) the date on which the child first attended the service.

(c) Provision to record 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 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 where the family has registered with a general practice.

(h) Record of each child's immunisation for 7 of the 10 forms reviewed.

(i) Written parental consent for appropriate medical treatment of the child in the event of an emergency.

(2) The registered provider ensured that a record in writing was kept in respect of each pre-school child attending the service containing (1) (a), (d), (e) and (f) above.

Non-Compliance Information

(1)

(h) The records of immunisations were not complete for 3 of the 10 children's registration forms reviewed.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

We will request the parents send in the vaccination records or a statement if the children are not vaccinated.

We will ask parents for this further in advance in future.

Supporting documentation submitted

None submitted

Summary Comment

The information submitted by the registered provider has been reviewed and the non-compliances found on inspection in relation to regulation 15 (1)(h) have been addressed. This regulation is now compliant.

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

On day two of the inspection, a rolling lunch began at 10.25hrs. Lunch was eaten in the main care room and children were brought in groups to eat. Children were given the option to go in the first group or stay and play a bit longer outdoors. Parents provide food for the children attending on both part-time and a sessional basis. Contents of lunch boxes were observed to be in line with the services healthy eating policy. Staff sat down and chatted with the children while they ate and drank their lunch, making it a relaxed social experience. The service supplied fruit to the children to eat alongside their own lunches. Children were encouraged to self-serve from the fruit platter in the centre of the table. A list of the range of fruits offered to the children was displayed on the wall in the entrance hall. The fruit options are varied from week to week. The children were offered water in cups, which they were encouraged to pour for themselves. Children had access to their water bottles throughout the inspection.

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

The following was observed on day two of the inspection.

General Safety:

- The entrance door to the premises was found to be locked and secured upon arrival to the service, preventing unauthorised exit or entry. The back entrance door was secured when children were present on the premises. Internal door handles were up high to prevent children from opening them. The gate to the outdoor area was secured with a latch lock, positioned out of the reach of children.
- The staircase was adequately lit with a handrail. Star stickers were placed on each of the steps. Children 'followed the stars' to help them come up and down in a safe manner. When using the outdoor stairs, children went in single file and used the handrail which was at child's height.
- Lower-level windows were locked, and keys were kept secure in the office.
- The kitchen area was kept locked and was inaccessible to children on the day of inspection.
- Grapes in children's lunch boxes were observed to be cut in half to reduce the risk of choking.
- Equipment, materials, and toys were in good order throughout the service and developmentally appropriate to the children using them.
- Sharp items such as scissors were observed to be stored up high.
- Cleaning products were stored out of reach of children. Storage areas were inaccessible to the children.
- The hot water provided at the children's wash hand basins was controlled to a safe temperature below 43°C for hand washing.

Infection Control:

- Children were observed to routinely wash their hands at appropriate intervals, after art activity, after being outside, after toileting and before snack. Warm water, liquid soap and paper towels were available to the children.
- The premises was observed to be maintained in a clean and hygienic condition. A cleaning schedule was observed to be in use and up to date.
- When outdoors, children's lunch boxes were observed to be stored in a cooler box with ice packs.

Fire Safety:

- Fire doors were unobstructed on the day of inspection to ensure safe evacuation in the event of a fire or other emergency.

Outing:

- While out, regular communication was observed between all adults. Walkie talkies were used to advise and update on groups comings and goings between the main building, garden area and playground.
- Children were observed to use a rope train to travel between each area, following a specific route that was routinely used.

Non-Compliance Information

Outing:

In case of emergency, staff and children should be contactable and easily located.

- On day one of the inspection the inspector arrived at the service at 10:25hrs. Staff and children were not present on the premises. Staff and children were not located until after 11:40hrs with no communication of notice outlining contact. The inspector did attempt to make contact by phone however there was no response.

Action submitted by the Registered Provider

Corrective & Preventive Action

Outing:

We have provided Tusla with an up-to-date mobile number and we sincerely apologise that no one answered the door, but we were on a nature walk.

We will ensure that all phone numbers are kept up to date with Tusla.

Supporting documentation submitted

Phone number has been updated with the inspectorate.

Summary Comment

The information submitted by the registered provider has been reviewed and the non-compliances found on inspection in relation to regulation 23 have been addressed. This regulation is now compliant.

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.

(4) A registered provider shall ensure that a record in writing referred to in paragraph (3)(b) is retained for a period of one year from the date to which it relates.

Compliance Information

(1) The registered provider ensured that each pre-school child attending the service was checked in and out of the service each day.

(3) (a) (b) The registered provider ensured that a record in writing was kept of any visitors who entered the premises.

(4) The registered provider ensured that such records were held for a period of one year.