

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DL130
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Name of Service:	Smarty Pants Pre-school
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Address of Service:	Main Street, Lisminton, Ballintra, Co. Donegal
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Eircode:	F94 VH28
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Name of Registered Provider:	Linda Doherty
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Service type:	Part Time, Sessional
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Date of Inspection:	16/10/2024
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No of pre-school children:	AM	17	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 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
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Description of service

Smarty Pants preschool is a privately owned and operated service located within the rural village of Ballintra in southwest Donegal. The service is registered to provide part time and sessional care however was operating the sessional service only at the time of inspection. The service is currently operating between the hours of 9.30am and 12.30pm each weekday for children aged 2-6 years. The service is also registered to provide school age care. The service operates from a purpose-adapted premises situated on a corner site along the main street. There are two care rooms on site. Sanitary facilities are available from a central lobby. Other facilities on the premises include a staff toilet, kitchen and storage. The service is registered to operate from two playrooms, however only one was in operation on the day of inspection.

Staffing

There are three staff members currently employed to work in the service on a daily basis. The registered provider normally works in the service however was off on extended leave at the time of inspection. There is a named person in charge and a person to deputise in their absence. One of the staff members was employed in the service under the access and inclusion model.

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. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9, 11, 15, 19 and 28; however, on inspection additional non-compliances which posed a risk was identified under Regulation 23. These findings are outlined within the relevant regulation within this report.

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 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,

(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) (a) There was a named person in charge and a second person to deputise when required.
- (b) Staff records demonstrated that the named person in charge or the named deputy were on the premises at all times during the hours of operation.
- (c) There was a management structure in operation in the service with the lines of authority clearly defined.
- (2) The vetting files of the registered provider and the three staff members were reviewed as part of this inspection and the following was deemed to meet the regulatory requirement.
- (a) Two past employer references were available for each of the staff members.
- (c) Garda vetting disclosures had been obtained for all 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 or a qualification deemed by the Minister to be equivalent was on file for all staff members.

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) A review of staff and children's attendance records demonstrated that there were an adequate number of adults rostered to be working with the children at all times.
- (2) On the morning of inspection there were three adults working directly with 17 children aged 2 to 5 years attending the service on a sessional basis.
- (8) (a) There were at least two adults present at all times during the unannounced inspection. A sample of staff attendance records showed that at least two adults were rostered to be present during the hours of operation.

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) Out of 21 children's records reviewed, details required at points (a) to (i) were maintained for 20 of the children.

Non-Compliance Information

(1) Out of the 21 children registered to attend the service, one child's records as required at points (a) to (i) were not available.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1) The child's record card is on file. Going forward, we will ensure that all records are on file before children start.

Supporting documentation submitted

Photo evidence of the child records on file was submitted.

Summary Comment

The actions and evidence submitted by the registered provider have been reviewed. The non-compliance has been adequately addressed.

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

Children were observed to take an active role in the day-to-day operation of the service. Prior to snack time, several children were allocated helping roles such as distributing crockery and cutlery. Lunches and snacks were brought in from home and on the morning of inspection, children were observed enjoying sandwiches, crackers, yogurts and a selection of fruits including bananas, blueberries and strawberries. Each child had access to their individual drinking bottle of water at snack time and throughout the session. Some children were observed to remove their food from their lunchbox and use the cutlery and crockery provided by the service. A calm, sociable and relaxed atmosphere was created during snack time with staff members sitting with children and engaging in conversation. Children were observed to be independent and competent in opening their lunch items and using the cutlery. Support was provided by staff when required.

Children were observed to use the toilet and handwashing facilities independently with adults available nearby to assist if required. Appropriate handwashing practices were encouraged through the use of the 'wash, wash, wash song'. The personal care needs of the children were attended to promptly by staff with children reminded to wash their hands and clean their own nose. A 'nose cleaning station' with mirror, tissues and a foot pedal bin was located in the playroom. Aprons were available for messy play activities. Staff encouraged children to be independent in putting on their coats, providing appropriate encouragement and guidance when required. Children were active in the transition from play to snack and moving to outdoors. They worked together during each transition time to tidy away and move to the next activity appearing comfortable with the normal routine of the day.

There was ample space and time given to children to move around their environment choosing their play materials and resources. The layout of the playroom and the outdoor play areas facilitated the free, unrestricted movement of children. Staff members spoke with the inspector about the value placed on outdoor play and were knowledgeable regarding its benefits. Staff stated that children spent considerable periods of time playing outdoors on a daily basis and this was evidenced on the day of inspection.

Children had access to comfortable, soft furnishings with a supply of age-appropriate reading materials to facilitate rest or relaxation throughout the day. Consideration was given in the room to ensure this area was an inviting space for children with a mock fireplace and shelving with children's family photos on display.

Staff were observed to be consistent in their approach to managing children's behaviour using a mix of distraction techniques and negotiation to address minor issues that arose. A visual timer was used to encourage children to share resources, and this worked well on the day. Staff were observed to provide reassurance and encouragement to children, enabling them to take the lead in play activities and opening their play up to include other children.

The preschool room was resourced with a range of play materials and equipment laid out in defined interest areas to facilitate meaningful play activities and experiences. Areas that supported children's imaginary play included a kitchen/home/restaurant area, doll and baby care area, farm and construction area and small world area. Children's creative development was encouraged through musical instruments, a library area, junk and art materials. A selection of Montessori equipment was also readily accessible on low level shelving alongside resources to promote cognitive and problem-solving skills such as magnetic tiles, pegboards, plastic and wooden blocks. The room was furnished with low level tables, chairs and shelving to facilitate tabletop and art activities.

Children had access to two separate outdoor play areas on the day. The larger open area contained a mix of natural grass, wood chip and loose stone ground covering and contained play items such as wooden playhouses and balance beams. A large section which was roofed over with clear corrugated roof sheeting housed both a large sand pit and a kitchen area. Seating was available both in the shelter and in the open-air space to facilitate play in all weathers. The second smaller outdoor area was located immediately adjacent to the entrance of the building and was surfaced with a smooth concrete finish. Some of the outdoor play resources included a water-wall, mark-making resources such as a low-level wall-mounted blackboard, a wooden mud kitchen and a gravel/stone area. Children spent time in both outdoor areas on the day of inspection. Children appeared to particularly enjoy imaginary/role play in the large sand and kitchen areas playing in small groups alongside staff members.

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.

Non-Compliance Information

General Safety:

1. Garda vetting was available for all four staff members. However, two staff members 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'.

Infection Control:

2. Items which pose an infection control risk to children including a pest control bait box and waste bins were accessible to children in the outdoor play area. These items pose a risk of infection should a child touch or tamper with them.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. Renewal of Garda vetting has been applied for both staff members. A reminder has been set to check Garda vetting at the start of each year to ensure all staff have up to date vetting in place.

Infection Control:

2. The bins have been moved to the front of the building along with bait box. The bins will be stored away from the entrance and the path that children use daily.

Supporting documentation submitted

Documentation and photo evidence was submitted to evidence compliance.

Summary Comment

The non-compliances identified on inspection have been adequately addressed.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

There was written documentation to evidence that there was adequate insurance in place for the type of service provided and the number of children attending.