

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015DL138		
<b>Name of Service:</b>	Glen Outdoor		
<b>Address of Service:</b>	Barrack, Newmills, Letterkenny, Co. Donegal		
<b>Eircode:</b>	F92 YR68		
<b>Name of Registered Provider:</b>	Orla Mc Daid		
<b>Service type:</b>	Full Day, Part Time, Sessional		
<b>Date of Inspection:</b>	03/04/2024		
<b>No of pre-school children:</b>	AM	15	PM 9
<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, TUSLA Child & Family Agency, Markievicz House, Barrack St, Sligo, F91 XC84		
<b>Inspection undertaken by:</b>	L Costello & S Meehan		
<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

This privately owned outdoor preschool service is in a private dwelling and outdoor grounds in Newmills, outside the urban town of Letterkenny, Co. Donegal. The preschool caters for children aged between 0 and 6 years of age, from Monday to Friday between 08:00 am and 05:30 pm. This outdoor service offers the option of full daycare, part-time day care service, an (ECCE) Early Childhood Care and Education and sessional care programme. This preschool service offers an outdoor experience and has a variety of interest areas for children. The service also has a fully equipped kitchen, dining room, two internal playrooms, sleep room and sanitary facilities.

### Staffing

On the day of inspection, there were 3 adults on the premises which included the registered provider. The two adults who worked directly with the pre-school children, held at least a major award in Early Childhood Care and Education at a minimum of level 5. The service had an additional three adults employed to provide relief cover and a school aged service.

### 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.

The inspection focused on an examination of compliance under regulations 9, 10, 11, 16k, 19, 23, 27 and 32; These findings are outlined within the relevant regulations 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.

### Additional Information

This inspection was triggered by information received by the early year’s inspectorate of a feedback and concern received on 20<sup>th</sup> of March 2024.

### Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered provider/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,*

*(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) There was a named person in charge of the daily operation of the service who was present on the day of inspection. There was a named person to deputy in the event of their absence.

(b) The person in charge or the named deputy was rostered to be on the premises at all times during the hours of operation.

(c) Staff working in the service showed awareness through discussion with the inspector of the management structure in the service and their role.

(2) The inspectors were informed by the person in charge that that there was a total of seven staff members employed to work in the service. A review of records demonstrated that the vetting documentation for two of the staff had been reviewed during previous inspection on the 16<sup>th</sup> of June 2023 and were found to be compliant under this regulation. The following vetting documentation and qualifications were available on file for the three members new to the service and working directly with preschool children since the last focused inspection of the 16<sup>th</sup> of June 2023.

(a) (b) There were two references on file from a past employer or other source for two staff members.

- (c) Garda vetting had been obtained for seven staff members. The service also demonstrated compliance with the Early years inspectorate regulatory notice requiring services to renew garda vetting every three years.
- (d) International police vetting was not required as none of the seven staff had lived outside the state for a period of six consecutive months.
- (4) Relevant documentation evidencing a major award in Early Childhood Care and Education at level 5 or above on the National Qualifications framework was furnished for the two staff members employed to work with the preschool children.

### Non-Compliance Information

(2) (a) (b) One adult employed in the service and one student did not have the required consideration of a past employer reference or in the absence of employment a reference from another source.

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

#### Corrective and Preventive Action

The registered provider will let the staff members know what they were missing. Ensure all have documents before starting.

#### Supporting documentation submitted

Reference submitted.

### Summary Comment

The actions outlined in the corrective and preventive action submitted by the registered provider to address the non-compliances found on inspection in relation to regulation 9 has been reviewed by the inspectorate. This regulation is now compliant.

### Part III – Management and Staff

#### Regulation 10 - Policies, procedures etc. of pre-school service

*A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.*

#### Compliance Information

Written copies of policies were in place in the service and made available by the registered provider for review by the inspectors on request. The following policies were reviewed by the inspectors in the service and found to contain the necessary information to meet the regulatory requirements.

- (t) staff training policy.
- (u) Staff supervision policy

#### Non-Compliance Information

The following policies reviewed by the inspectors on inspection did not contain adequate detail to meet the requirements of the regulation as follows:

- (e) The service policy on managing behaviour did not outline the procedures to follow if child abuse or neglect is suspected. The policy also did not include how support is offered to staff on behavioural management and supporting children's emotional needs.
- (r) The service's policy on accidents and incidents did not outline that a risk assessment is undertaken following an incident/accident in the service or the requirement to notify Tusla. It is acknowledged while these procedures were not in policy the registered provider could give evidence of notifications to TUSLA and risk assessments completed following an accident or incident.

#### Corrective and Preventive Action

The registered provider will reevaluate old policies, adding missing information.  
Check over all policies to ensure nothing is missing.

#### Supporting documentation submitted

- (e) Management behaviour policy submitted with required information.
- (r) Accident and incident policy submitted with required information.

### Summary Comment

The corrective and preventive actions submitted by the registered provider to address the non-compliances found on inspection in relation to regulation 10 have been reviewed and accepted by the inspectorate. 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) There were Three adults working directly with 13 children on the inspectors' unannounced arrival to the service. A review of a sample of attendance records showed that an adequate number of adults worked directly with the children during service hours of operation.

(2) The minimum adult to child ratios were provided on the morning of the unannounced inspection in accordance with the required ratios considering the ages of the children and the length of time each child spent in the service as outlined below:

Wobblers: 1 adult cared for 4 children aged from 1 to 2 years of age in the morning and 1 adult cared for 1 child in the afternoon.

Toddlers: 1 adult cared for 2 children aged from 2 to 3 years of age in the morning and 1 adult cared for 1 child in the afternoon.

ECCE: 1 adult cared for 7 children aged from 3 years to 5 years of age in the morning and 1 adult cared for 5 children in the afternoon.

### 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.*

*(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) (k)

Twenty-four accident and incident reports were reviewed on the day of the inspection. The registered provider had made efforts to ensure parents were communicated with regarding any accident or incident and parents had signed the accident form in twenty-three reports. Risk assessments had been completed following each accident /incident as appropriate.

(3)

These records were made available to the inspector on the day.

### 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*

*(1) A registered provider shall, in providing a pre-school service, ensure that-*

*(b) appropriate and suitable care practices are in place in the pre-school service, having regard to the number of children attending the service and the nature of their needs.*

#### Compliance Information

(1) (a) (b).

The service operates largely outdoors in a natural environment equipped with trees, flowers, wooden playhouses and T-pees creating an environment to stimulate the child's imagination. Children were observed to move around this area freely directing their own sense of play. Children played in groups and individually, supervised by the adults throughout. In one of the polytunnels the children learnt how to plant vegetables and flowers. In another area children were digging in the mud and taking positive risk in climbing trees supervised by the staff members. The wooden tree houses allowed for opportunities for role play as children were observed playing house. As well as the natural environment the outdoor area was equipped and resourced with bikes, trikes swings and slides for the development of gross motor skills. The indoor classrooms were equipped with arts and crafts, puzzles and tabletop activities to assist in fine motor skill development.

Children were dressed appropriately for the elements with warm waterproof overalls and waterproof footwear. All children had extra clothing and footwear if they required a change of clothes. Children who were toilet trained were encouraged to be independent with prompts as required. Where children required assistance in removing outdoor wear the staff members assisted in a kind manner. Nappy changes were observed to be a positive experience for the children. Staff used this time as an opportunity for one-to-one engagement with song singing and storytelling. The children were observed to be laughing and giggling throughout.

On the day of inspection, a nutritious main meal of gammon, mashed potato, and carrots with drinks of water and milk were provided. Snacks throughout the day included croissants, wraps, yoghurts, and a variety of fruits all in line with the service healthy eating policy. The registered provider stated that the service catered for different dietary needs and cultural preferences in relation to meal planning.

Staff members were observed to be respectful, gentle, and kind in their interactions towards the children in their care. During mealtimes the staff members sat at the table and engaged in social conversation with children promoting a relaxed atmosphere. The staff members sat at the children's level when feeding the younger children or when assisting the children to feed themselves. The younger child were held and cuddled as needed throughout the day. There was evidence of familiarity between the staff and children as conversations were had about activities over the Easter and plans with families.

The service took measures to support the children's relationships including keeping parents and guardians fully informed of the daily activities. This was completed through the use of an application where parents received real time information in relation to the children's eating, sleeping and nappy changing.

### 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 main entrance into the service was found to be secured upon the inspectors unannounced arrival to the service, which prevented persons entering unauthorised and children from leaving the building unsupervised.
- All cleaning products were stored in a cupboard out of the reach of children.
- Materials and resources were maintained in a good state of repair.
- The kitchen was inaccessible to the preschool children.
- Leads and flexes were secure and inaccessible to the preschool children.

##### Infection Control:

- Tables were observed to be cleaned prior to mealtimes.
- Children were observed to wash their hands regularly including before snacks and meals and after using the toilet.

##### Administration of Medication:

- No medication was administered on the day of the inspection.

##### Safe Sleep:

- The service had a designated sleep room with a total of five standard cots.
- Cellular blankets were provided for those children under two years of age.

### Fire Safety:

- Fire doors were unobstructed throughout the service.
- Fire assembly points were clearly displayed in the outdoor area.

### Non-Compliance Information

#### General Safety:

1. A blind chord in the staff toilet was not secure to the wall. Once this was brought to the attention of the registered provider it was rectified on the day.
2. Office equipment was stored in the hallway easily accessible to the preschool children which may pose a safety risk.

#### Infection Control:

3. There was no warm water for adequate handwashing throughout the service on the day of the inspection. The temperature recorded was 9.3°C which is inadequate for effective hand washing.

#### Safe Sleep:

4. One mattress in the sleep room displayed heavy staining. Once brought to the attention of the registered provider the mattress was removed out of use.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

#### General Safety:

1. Contacted maintenance man and got fixed straight away. Emailed over picture that day to show we had got it fixed. Windows will be checked daily.
2. Office was moved into a room with a closed door on the evening of the inspection.

#### Infection Control:

3. Contacted maintenance man and got fixed straight away. Check the hot water temp regularly to avoid this happening again.

#### Safe Sleep:

4. Mattress was removed and replaced with a new mattress.

### Supporting documentation submitted

### General Safety:

1. Photographic evidence submitted.
2. Photographic evidence submitted.

### Infection Control:

3. Photographic evidence submitted

### Safe Sleep:

4. Invoice submitted

### Summary Comment

The corrective and preventive actions submitted by the registered provider to addresses the non-compliances found on inspection in relation to regulation 23 has been reviewed by the inspectorate. This regulation is now compliant.

## 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

(2) (a) (b)

The registered provider ensured that a suitably stocked first aid box was easily accessible in a conspicuous location in the service and accessible to the preschool children.

### Non-Compliance Information

(1) There was no staff member rostered on the day of inspection with the required first aid responder training or in date paediatric first aid.

An immediate action notice was issued on the day of the inspection 03.04.2024. The response received by the registered provider on the 04.04.2024 to immediately address the non-compliance was accepted by the inspectorate.

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

#### Corrective and Preventive Action

The registered provider will ensure going forward that a staff member trained in FAR will be always available. Ensure first aids don't run out of date, also to make sure new staff coming in have correct courses. Ensure when doing rota at least one first aid is on shift.

#### Supporting documentation submitted

Certification submitted

### Summary Comment

The actions submitted by the registered provider to address the non-compliance found on inspection in relation to regulation 25 has been reviewed by the inspectorate and accepted. This regulation is now compliant.

## Part VI - Safety

### Regulation 27 – Supervision

*A registered provider shall ensure that pre-school children attending the service are supervised at all times.*

#### Compliance Information

The required adult:child ratios were in place on the day of the inspection with 3 staff provided to care for and supervise the 13 children present. During the inspection the staff were observed to supervise the children mainly by sight and sound. The service operates largely outdoors, and a fence erected since the last inspection, this removed any blind spots in the outdoor area.

The staff were observed to communicate well with each other if a child wished to go back indoors for example to use the toilet or they required a nappy change, thus ensuring adequate supervision remaining outdoors. Whilst playing outdoors, the staff positioned themselves strategically in the outdoor area to be able to keep the children in view.

At mealtimes everybody went indoors, and the staff sat with the children supervising them whilst they were eating at lunchtime.

### Part VIII - Notifications and Complaints

#### Regulation 32 – Complaints

- (1) A registered provider shall ensure that the complaints policy of the service specifies-
- (a) the procedure to be followed by a person for the purposes of making a complaint in relation to the service,
  - (b) the manner in which such a complaint shall be dealt with, and
  - (c) the procedures for keeping a person who makes such a complaint informed of the manner in which it is being dealt with.
- (2) A registered provider shall ensure that-
- (a) a record in writing is kept of a complaint made to the provider in respect of the pre-school service, and
  - (b) the complaint is duly dealt with in accordance with the provider's complaints policy.
- (3) A record in writing referred to in paragraph (2)(a) shall-
- (a) include the nature of the complaint and the manner in which the complaint was dealt with, and
  - (b) be open to inspection on the premises by an authorised person.

#### Compliance Information

(1) (a)(b)

The registered provider had a complaints policy in place in the service that outlined the necessary steps to be taken if a person had a concern about the service. This policy outlined the procedure to make a complaint and the manner in which the complaint will be dealt with.

(2) (a) (b)

The registered provider had a record of a third-party complaint on file and available to view by the inspectors. The Registered provider had followed the necessary steps required and outlined in the service policy.

(3) (c)

This record was available to the inspectors on the day.

## Non-Compliance Information

(1) (c)

The complaints policy did not outline the procedures involved in keeping the complainant informed about the status of the complaint. The policy also did not outline the appeal procedures available to the complainant if they were dissatisfied with the outcome of the services investigation.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

Policy submitted with necessary information.

### Supporting documentation submitted

The corrective and preventive actions submitted by the registered provider to address the non-compliances found on inspection in relation to regulation 32 has been reviewed by the inspectorate and this regulation is now compliant.

## Summary Comment

The corrective actions submitted by the registered provider was reviewed by the inspectorate and the non-compliance found on inspection have been resolved. This regulation is now compliant.