

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DL146				
Name of Service:	Willowbrook Childcare Ltd				
Address of Service:	4 Willowbrook, Letterkenny, Co. Donegal				
Eircode:	F92 E2F8				
Name of Registered Provider:	Agnes Morrissey				
Service type:	Sessional				
Date(s) of Inspection:	04/12/2023				
No of pre-school children:	<table border="1"> <tr> <td>AM</td> <td>13</td> <td>PM</td> <td>-</td> </tr> </table>	AM	13	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

Willowbrook childcare ltd is a privately owned and operated preschool service located in the town of Letterkenny, County Donegal. The service operates a sessional preschool from 9.30am to 12.30pm each weekday for children aged 2-6 years. The service is located in a residential area and operates from the ground floor of a converted dwelling which has been purposely adapted for use as a pre-school premises. There are two preschool rooms on the premises only one of which was in use on the day of inspection.

Staffing

The registered provider was on site and caring for the children on the day of inspection. There are two other staff members employed to work in the service when required, neither of which were present on the day.

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 inspection focused on an examination of compliance under regulations 9, 11, 19, 25, 26 and 28; however, on inspection additional non-compliance which posed a risk was identified under Regulation 16 and 23. These findings are outlined within the relevant regulations within this report.

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 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

(2) A review of previous inspection records and confirmation from the registered provider demonstrated that there have been two staff members employed to work in the service since the last inspection on 3 March 2021.

The following information was available for the two staff members.

- (a) There was one past employer reference for one staff member.
- (b) There was one reference from a source other than a past employer for one staff member.
- (c) A vetting disclosure from the National Vetting Bureau of the Garda Síochána was available for both staff members.

(4) Evidence of completion of a major award in Early childhood Care and Education at Level 5 on the National Qualifications Framework was available for both staff members.

Non-Compliance Information

(2) (a) (b) There was no evidence of consideration of references from a past employer, or in the case where there were no past employers, a source other than a past employer, on file for one staff member.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2) (a) (b) References on file. Always check that new staff have up to date references upon commencing work.

Supporting documentation submitted

Copies of references submitted.

Summary Comment

The information submitted by the registered provider has been reviewed and this non-compliance is deemed to be 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.*

Non-Compliance Information

- (1) The registered provider did not ensure that there were an adequate number of adults working directly with the children. There were 17 children enrolled to attend the service with one adult rostered to be on the premises. The registered provider informed the inspector that not all children routinely attend, therefore if more than 11 arrive on a given day, a second adult would be called to work in the service.
- (3) On the morning of inspection, there was one adult caring for 13 children aged 2-4 years. The required ratio of adults to children for this age group of children attending a sessional service is one adult to every 11 children. Therefore, an additional adult was required to care for the group of children attending.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Ensure that we have a second staff member on standby in case of emergency.

Supporting documentation submitted

A copy of the sign in sheet for staff was submitted.

Summary Comment

This regulation remains non-compliant as the registered provider's response did not contain adequate corrective actions or evidence to address the findings at points (1) and (3).

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;

Non-Compliance Information

(a) There was no record in writing of the qualifications and experience of two staff members recruited to the service since the last inspection. As a result, it could not be determined if international police vetting was required for either of the staff members.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(a) Up to date records of qualifications and experience available in staff file. The service will ensure that each new member of staff has all requested documents upon commencement of work.

Supporting documentation submitted

A copy of staff employment records submitted.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance identified under Regulation 16 (1) (a) 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

Compliance Information

(1) (a) There was evidence that the service promoted healthy eating with the children bringing nutritious snacks from home to enjoy in the service. Adequate time was given to children to eat their food and each child had brought their own water bottle to have a drink with their meal.

Children tended to their own personal care needs in the service, using the toilet and washing their hands independently with the staff remaining close by to provide support if required. Children were also independent where capable, in opening lunch items, putting on their coats and tidying away toys.

Children's language development was supported by group discussion and songs. Some children were given the opportunity to sing individually for the group which helps to develop confidence and self-assurance.

The wall displays in the room included artwork completed by children which centred on a specific theme or topic. There was evidence in the room of staff members planning learning activities for the children over the course of a week and on a broader monthly basis. Children demonstrated familiarity with the routine and structure of the day. Transitions ran smoothly with a five-minute notice given to children prior to changeover of activity. Children were comforted when they appeared upset.

Non-Compliance Information

(1) (a)

1. With the exception of circle time, the adult to child interactions were observed to be focused on functional instruction and correction. The staff member missed valuable opportunities to engage in sustained, purposeful interactions with the children during their play. This was evidenced by one child spending considerable time walking aimlessly around the room and the staff member repeatedly using the phrase 'ah ah' to correct behaviour or calling the child's name without further instruction or guidance. Children were also repeatedly instructed not to touch the 'space' in front of other children during snack time. This was further reinforced during a discussion about 'rules' at circle time.

2. It was observed that the activities in the room were mainly adult led with children given limited opportunities for self-directed, child led play. All activities on the day were decided by the staff member and there were no alternative options for children who wished to disengage from an activity.
3. The range of play materials, resources and equipment available to children did not provide a challenging, diverse and enriching learning environment that promotes all areas of development. There were no clearly defined interest areas and a shelving unit in the room was empty. During free play, children had access to a small kitchen, a limited range of books and one box of plastic blocks which was then removed from the room. After snack time, the staff member selected one jigsaw for all children to build.
4. It could not be evidenced on the day of inspection that children had freedom to move around the room and select play items. Once children was repeatedly returned to their chair to play despite numerous attempts to move from the area. The larger group of children were also required to remain in a seated position either at the table or on the floor for circle time from 11.00am until they left the service at 12.30pm.
5. The chairs available to children to sit on were too high for a number of children to be able to rest their feet comfortably on the floor and as a result, children appeared restless and struggled to remain seated for mealtime and to engage in tabletop play activities.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. Staff and management have reviewed the behaviour management policy under procedures and practices and in daily interactions. An application for Better Start has been submitted.
2. Staff and management have reviewed the behaviour management policy under procedures and practices and in daily interactions. We have a daily routine and child led activities available during play indoors and outdoors.
3. An application for Better Start has been submitted.
4. An application for Better Start has been submitted.
5. We can use our old chairs and are still in good condition. The next chairs we buy we will ensure that the children's feet rest comfortably.

Supporting documentation submitted

Images and a copy of the daily routine was submitted with the response.

Summary Comment

The findings documented at points 1, 2 and 3 have been accepted on the basis that practice will now reflect the

policy as documented and the images submitted reflect the daily learning opportunities available to children. The findings documented at points 4 and 5 remain non-compliant as the registered provider's response did not provide adequate assurance that the non-compliance had been rectified. This regulation will be subject to review on the next 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.

Non-Compliance Information

General Safety:

- Records detailing the attendance of each preschool child were not maintained accurately in relation to children's arrival time to the service. The staff member was observed signing children in on the roll book following the inspector's arrival and on review by the inspector, it was noted that one child had not been signed in as attending. The lack of an accurate, real-time record of children attending the service poses a risk that a child may go unaccounted for in the event of an emergency evacuation.

Action submitted by the Registered Provider

Corrective & Preventive Action

- We will ensure that each child is signed in as they enter the preschool premises. We will ensure all staff are aware of the importance of the signing in children upon arrival and signing out at time of departure.

Supporting documentation submitted

General Safety:

- A copy of the sign in book was submitted.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance identified under Regulation 23 has 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) Documentary evidence was available to demonstrate that the staff member had completed training in first aid for children.

(2)(a) (b) A stocked first aid box was stored in an easily accessible and conspicuous position in the care room.

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)(a) A written record of fire drills carried out in the service were maintained with the most recent dated in November 2023.

(b) A record of the number, type and maintenance record of the firefighting equipment and smoke alarm was maintained. The most recent maintenance record for the firefighting equipment was dated in April 2023 and the smoke alarm was October 2023.

(4) A notice of the procedures to follow in the event of a fire was displayed at the exit point of the room.

Part VI - Safety

Regulation 27 – Supervision

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

Non-Compliance Information

Children were not adequately supervised at all times while attending the service. Following routine handwashing, one child remained in the toilet area and was only discovered when the inspector entered the room. The child stated that she had been 'locked out' thus evidencing that the child had attempted to return to the room but was unable to do so. The staff member was unaware that there was a child in the area and proceeded to ask the child on return if she was 'ok'.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

We have two members of staff on the premises at all times. One to supervise toileting as required

Supporting documentation submitted

No evidence submitted.

Summary Comment

The assurance provided by the registered provider in the corrective action has been accepted. The practice will be subject to review on the next inspection.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

An insurance certificate was available to evidence that adequate insurance was in place for a maximum of 22 children attending the service on a sessional basis with an expiry date in May 2024.