

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DR189
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Name of Service:	ABA Preschool Academy
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Address of Service:	Stonebridge Community Facility 2-38, Stonebridge Grove, Shankhill, Dublin 18, Co. Dublin
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Eircode:	D18 FH04
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Name of Registered Provider:	Jennifer James
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Service type:	Part Time
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Date(s) of Inspection:	22/03/2023
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No of pre-school children:	AM	6	PM	6
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Address of the Early Years Inspectorate:	The Brunel Building, Heuston South Quarter, St. John's Road West, Dublin 8
Inspection undertaken by:	R Brien
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

ABA Preschool Academy is registered to provide part time care for children from 3 to 6 years of age and is one of two services owned and operated by the registered provider. The service operates from 09:00 to 13:00, Monday to Friday and caters for children on the autistic spectrum.

The service is located on the ground floor in a community centre in a residential area of Dublin south. There are two preschool rooms in the service. There is a fully enclosed outdoor play area to the side of the premises which is shared with another preschool service. The service operates a 2:3 adult:child ratio.

Staffing

The service currently employs 6 staff including a manager. There were 6 staff working directly with the children on the day of inspection. The registered provider does not work directly with the children and was present on the day of inspection.

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 inspections may also focus on other areas as required.

A sampling process was used to assess compliance under regulation 16 Record in relation to Pre-school service (j).

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 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*

(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.*

(3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.

(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)(b) The service had a designated person in charge and a named person to deputise as required who were both on the premises throughout the inspection.
- (2) Following a discussion with the person in charge it was confirmed that six new members of staff commenced working in the service since the last inspection on 09 October 2020. Documentation was reviewed in respect of these adults and met regulatory requirements as follows:

- (a) Of the twelve validated, written references that were required, six were available from a past employer.
- (b) A further six validated, written references were available from a source other than a past employer.
- (c) Garda vetting disclosures from the National Vetting Bureau of An Garda Síochána were available for the six staff members.
- (d) Police vetting was available for three staff members who had lived outside the State for a period exceeding six months as an adult.

(4) A staff member who did not have the required qualification had a letter of eligibility to practice from the Department of Children, Equality, Disability, Integration and & Youth (DCEDIY).

Non-Compliance Information

(3) The registered provider did not take appropriate measures to ensure that all employees were suitable to work in an early years service prior to their commencement as outlined below:

- The registered provider did not ensure that nine references were validated for four staff members prior to them commencing work in the service as follows:
 - One staff member commenced working in the service on 01 February 2021 and two references for this staff member were validated on 05 February 2021.
 - One staff member commenced working in the service on 04 October 2021 and two references for this staff member were validated on 05 November and 15 November 2021 respectively.
 - One staff member commenced working in the service on 18 May 2022 and two references for this staff member were validated on 18 May 2022.
 - One staff member commenced working in the service on 07 June 2022 and two references for this staff member were validated on 07 June 2022.

(4) There was no evidence available to show that five of the adults who had been employed since the last inspection and who were working directly with the children in the service held a relevant major award in Early Childhood Care and Education on the National Framework of Qualifications. The registered provider and four of the adults stated that applications had been submitted to the DCEDIY for recognition of their qualifications, but these applications had been unsuccessful. Documentation was available to demonstrate that a fifth adult has enrolled in a relevant course on the National Framework of Qualifications.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(3) References were validated already for current employees. A meeting was held with recruitment team explaining the importance of references being validated prior to employees commencing employment.

(4) This is an ongoing matter where our funding body (Department of Education) does not meet the same requirements as our regulatory body, Tusla. Letters have been sent to all relevant parties to try and rectify this matter. Awaiting responses from relevant bodies to rectify the issues facing Early Intervention Preschools funded under the Home Tuition Scheme, Group Providers. Meanwhile, we have reduced numbers and capacity whilst trying a big recruitment drive; to only employ level 8 Irish citizens or those who have studied and worked in an English speaking country for 3 years, to recruit for 30 staff across school.

Supporting documentation submitted

No supporting documentation submitted.

Summary Comment

(3) The corrective and preventive actions as stated by the registered provider have been deemed to address this non-compliance. This action will be assessed on the next inspection.

(4) Evidence of appropriate qualifications remains outstanding for five adults. The non-compliance has not been addressed. The registered provider must ensure that all staff employed to work directly with children hold the minimum required qualification. This regulation will be assessed on the next inspection.

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) An adequate number of adults were working directly with the children at all times during the inspection.

(2) The minimum ratio of adults to children for part time services was adhered to at all times during the inspection. There were six children attending the service being supervised by six adults on the day of inspection.

(8)(a) There were at least two adults on the premises at all times.

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:

- (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;*

Compliance Information

(i) The staff roster was available and accurately reflected the adults working in the service on the day of inspection.

(j) A sample of medication administration records were reviewed. These records were signed by staff and parents and were completed appropriately.

Non-Compliance Information

(h) Details of the attendance of each child were not recorded at the time of entering the service. At 10:15 none of the six children present had been signed in on the attendance record. This posed a risk to the safe evacuation of children in the event of a fire.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

All children will be marked in as they arrive. All staff were reminded of the importance of marking children in immediately upon arrival and agree this is the way it will happen moving forward.

Supporting documentation submitted

No supporting documentation submitted.

Summary Comment

The corrective and preventive actions as stated by the registered provider have been deemed to address this non-compliance. This action will be assessed on the next inspection.

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

(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

Staff reported that children bring in their lunch from home and meals took place at regular intervals. Children were given a snack at 10:30 and lunch took place at 12:30. Drinks were available to children throughout the day. Staff were observed engaging in conversation with the children and meal times were observed to be relaxed.

Children who were toilet trained and in the process of toilet training were brought to the bathroom regularly and as required. Children's nappies were changed regularly. Staff were observed engaging warmly with children when providing this care.

The service had a key person system in place and staff demonstrated a good awareness of the individual needs of each child and responded to children's cues promptly. The interactions observed between staff and children were warm and supportive. Staff were observed to use distraction, gentle tones and praise when promoting positive behaviour in line with the service's positive behaviour management policy. The atmosphere in the service appeared calm and relaxed. The individual needs of children were catered for on the day of inspection. A child who was observed to be upset in the outdoor area was brought back into the classroom by a member of staff where they were observed to be more relaxed.

Staff described how they share information about each child with their parents using a daily diary and at arrival and collection times. Individual education programmes were available for each child attending the service. Each plan detailed the child's current developmental stage and the supports and interventions required to further support their development. Staff stated that regular meetings are held with parents and support professionals to review progress and set goals for each child.

The Picture Exchange Communication System (PECS) was used to support communication and language development with children in partnership with parents. Staff described how they further support children’s language development using “first-then” cards, “it’s time for” visuals and choice boards. Staff were observed encouraging children to communicate throughout the inspection.

Care rooms were arranged to provide a range of play materials providing children with the freedom to play and explore. The care rooms provided a range of developmentally appropriate play experiences for the children and were adequately resourced with a variety of materials. Low level tables and chairs were available in the care rooms.

A fully enclosed outdoor area was located to the rear of the premises which is shared with another service located in the community centre. A timetable was in place to schedule use of the outdoor area. The area used by the service had shock absorbent surfacing and a range of developmentally appropriate play equipment. All children accessed the outdoors area on the day of inspection and were observed playing with bubbles, balloons and chalk while being supported by staff.

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 inspector found by observation of practice, review of documentation, discussion with staff and inspection of the premises that the registered provider had taken the following steps to safeguard children attending:

General Safety:

- The entrance door to the service was adequately secured to ensure the safety of the children within and to avoid unauthorised persons accessing the service or children exiting unsupervised.
- Hand sanitisers and cleaning agents were stored safely out of reach of children.
- All storage facilities were inaccessible to children.
- The toys and play equipment observed in use by the children on the day of inspection appeared in good working order.

Infection Control:

- Liquid soap, warm water and paper towels were available to facilitate hand washing. Staff were observed to carry out hand washing as appropriate. The children were supported to wash their hands at regular intervals including after using the toilet and nappy changing, after outdoor play and before meals.
- A system was in place for effective sterilisation of mouthing toys.

Administration of Medication:

The service had an administration of medication policy in place. Practices in line with this policy were observed on the day of inspection. There was a documented care plan available for one child attending the service who had an allergy. Staff were aware of this child's care needs.

Non-Compliance Information

The inspector observed a number of practices which posed a risk of transmission of infection within the service:

Infection Control:

1. An open bowl containing two rice cakes was observed stored on top of the hand dryer in one of the sanitary accommodation areas.
2. There was no paper towel dispenser in both sanitary areas used by the service. There were no paper towels for hand drying in one of the sanitary areas. A roll of kitchen towel was observed in the other sanitary area, staff and children were observed using this to dry their hands on the day of inspection posing a risk of cross contamination.
3. There was no pedal bin in the preschool rooms, two open lidded bins were observed in these rooms. The bin used for disposing of nappies in the sanitary accommodation did not have a lid.

Action submitted by the Registered Provider

Corrective & Preventive Action

Infection Control:

1. The rice cakes have since been removed and placed in a plastic bag outside of bathroom for the remaining time of toilet training.
2. A paper towel dispenser is available in the main bathroom. There is a hand dryer available in the smaller bathroom.
3. Pedal bins have been placed in the bathroom and the classrooms. Staff were reminded that no food should be left in toilets/sanitary areas and we have had a refresher on the infection control policy in place.

Supporting documentation submitted

Infection Control:

Written and photographic evidence was presented to demonstrate the corrective and preventive actions submitted by the registered provider.

Summary Comment

The corrective and preventive actions as stated by the registered provider have been deemed to address these non-compliances. These actions will be assessed on the next 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) A person trained in first aid was immediately available to the children at all times on the day of inspection.

(2)

(a) A first aid box was safely stored in an easily accessible and conspicuous location within the service.

(b) A first aid box was available to the adults and children in the service at all times.

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 was available detailing monthly fire drills that had taken place in the service. The last fire drill had been recorded as undertaken on 07 March 2023.
 - (b) The number, type and maintenance record of firefighting equipment and smoke alarms on the premises was available. The maintenance records for the fire equipment were dated 11 March 2023 and 06 January 2023 for the smoke alarms.
 - (4) The procedures to be followed during a fire drill and in the event of a fire were displayed in a conspicuous location within the service.