

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015DS202
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<b>Name of Service:</b>	St Louise's Playschool
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<b>Address of Service:</b>	St Louise's Centre, Knockmore Avenue, Killinarden, Tallaght, Dublin 24.
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<b>Eircode:</b>	D24 CX93
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<b>Name of Registered Provider:</b>	Michelle Bowes
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<b>Service type:</b>	Sessional
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<b>Date of Inspection:</b>	23 February 2023
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<b>No of pre-school children:</b>	AM	15	PM	n/a
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<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, Tusla Child and Family Agency, 2 <sup>nd</sup> Floor, Brunel Building, Heuston South Quarter, Dublin 8.
<b>Inspection undertaken by:</b>	E. Mulhern
<b>Title:</b>	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).

<b>Conditions if applicable</b>	N/A
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### Description of service

St Louise's Playschool is registered to provide sessional care to children aged two to six years. The service operates from a room in a stand-alone building on the grounds of Knockmore junior school and Cnoc Mhuire senior school in Tallaght, Dublin 24. An outdoor area is located at the front and side of the building. The service operates from 9am to 12pm Monday to Friday.

### Staffing

There are four staff employed to work in the service. Three staff are employed to work directly with the children and one staff member is employed for domestic duties.

### 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 areas of governance, health, welfare and development of child and safety. The inspections may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9(2)(3) & (4), 11(1) & (3), 19(1)(a), 23, 25, 26 and 28.

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 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 service has been escalated to the National Registration Enforcement Panel for the persistent non compliance under Regulation 9 Staff and Management as staff commenced in the service without garda vetting disclosure being sought prior to the commencement of working directly with children. This matter has been referred to the National Garda Vetting Bureau.

## 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

*(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

The inspection focused on the recruitment records of one staff member who the person in charge stated had commenced working in the service since the previous inspection.

- (2)
- (a) A reference was available from a past employer with a record of verification signed by the registered provider.
  - (b) A reference was available from a reputable source as the staff member only had one previous employer. A record of verification was available which had been signed by the registered provider.

(c) A Garda vetting disclosure was available for the staff member.

(d) Not applicable as the staff member had not lived outside the state as an adult.

(4) A certificate was available evidencing the staff member held an award in Early Childhood Care and Education at level 5 on the National Framework of Qualifications.

### Non-Compliance Information

(3) The registered provider did not ensure that the procedures specified in (2)(a)(b) and (c) were carried out prior to the staff member working with children in the service. The person in charge told the inspector that the staff member started working in the service in September 2021. The date recorded on the reference verification records was 20 January 2022. The date recorded on the Garda vetting disclosure was 29 March 2022.

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

#### Corrective and Preventive Action

Updated targeted training will be provided to the person in charge to ensure they know how to assess staff files prior to new staff starting in the service. The manager will inspect all records monthly and sign off to ensure all regulations are followed.

#### Supporting documentation submitted

- Personnel file checklist
- Certificate from external company titled 'Staff Induction Training' dated 7 March 2023.
- Record of staff enrolment in external training titled 'Preparing for Tusla Inspection' and 'Effective Room Leader' dated 10 May 2023 and 27 March 2023 consecutively.

### Summary Comment

9(3) The inspectorate is not assured that the non-compliances will not recur due to repeated breach of this regulatory requirement. The registered provider was non-compliant in relation to carrying out Garda vetting procedures prior to allowing staff have access to children on the previous two inspections dated 8 October 2018 and 10 June 2021. This is contrary to the National Vetting Bureau (Children and Vulnerable Persons) Act 2012. The registered provider was non-compliant in relation to references on inspection 8 October 2018. The preventive actions submitted by the registered provider following the previous inspections have not been effective in addressing the risk.

### 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.*

#### Compliance Information

(1) The inspector observed that an adequate number of adults were working directly with the children.

(3) The minimum ratio of adults to children was always maintained. There were two staff working directly with 15 children aged 2 years and 8 months to 5 years. All children were attending on a sessional basis.

### 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

The inspector observed that the children's learning, development and well-being was supported by the staff and the environment. When the inspector arrived at the service, all the children were engaged in play. The room was laid out with well-resourced interest areas including a 'shop', a 'home corner' and a 'construction area'. Materials and equipment were stored on low open shelves visible and accessible to the children. These were plentiful and varied and included puzzles, art and craft materials, sand, dolls and books. An area was available in the corner of the room where children could take a break and rest comfortably if they wished. The inspector observed the

children engaging in free play up until lunch time. They had the option to join table-top activities with the adults, one of which included playdough.

The children used the toilet as needed with staff available to help if required. The children's independence was supported as they were encouraged to tidy up their play equipment and wash their hands before eating lunch. Lunch was provided by the service. The children and adults sat together while eating and engaged in conversation. The children were offered milk with lunch and drinks of water were available throughout the session.

After lunch the children were assisted to put on their coats to go outside. The outdoor area had space and equipment to support full body movement including a small slide, a tunnel and ride-on toys. The inspector observed the children running and engaging in play.

Staff demonstrated warmth and affection in their interactions with the children throughout the session. They addressed them by name and engaged with them at eye-level. The inspector observed the atmosphere to be relaxed with children and adults laughing frequently. It was evident that the service works in partnership with parents. The inspector observed staff engaging with parents when they collected their children from the service. Staff told the inspector that they also use an app to exchange information with parents and guardians and have an upcoming coffee morning which all parents/guardians have been invited to attend.

### 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

Measures had been taken to safeguard the children as outlined in the examples below.

#### General Safety:

- External entrances and exits were secured to prevent unauthorised access or a child leaving the service unsupervised.
- Emergency doors were kept clear to allow for timely evacuation in the event of an emergency.
- Blind cords were secured out of reach of children.
- Heavy furniture was secured to prevent tipping.

- Cleaning products were stored safely out of reach of children.

### Infection Control:

- The inspector observed the premises and play equipment to be appropriately maintained and in a clean condition.
- Sanitary facilities were appropriately equipped for handwashing with warm water, liquid soap and paper towels.
- Children were reminded and assisted to wash their hands at appropriate times including after using the toilet and before eating.
- Pedal operated lidded bins were available for the safe disposal of waste.

### Administration of Medication:

- The person in charge told the inspector that no child had been given medication since the previous inspection. The staff demonstrated an understanding of the procedures to follow in order to ensure the children's safety if they required medication, including obtaining written parental/guardian consent.

### Outings:

- The person in charge told the inspector that the service does not undertake outings.

### Non-Compliance Information

#### General Safety

- The attendance record did not include one child who attended the service on the day of the inspection for an hour. Inaccurate recording of attendance could pose 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

Children who are settling into the centre will be added to the daily attendance record.

#### Supporting documentation submitted

No supporting documentation submitted

### Summary Comment

The action submitted should adequately address the non-compliance. The effectiveness of the action will be reviewed 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) Two staff members held certificates evidencing they had completed First Aid Responder training. The certificates were valid until 2024.

- (2)
- (a) The service had a suitably equipped first aid box stored in a conspicuous position within the children's room. This could be easily accessed by adults and was out of reach of the children.
- (b) The first aid box was always available for use.

### 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) Records were available of fire-drills carried out in the service. The last fire drill recorded was dated 22 February 2023.
  - (b) The service had a record outlining the firefighting equipment and the smoke alarm system in the service. The last recorded dates of maintenance were 15 June 2022 and 22 February 2023 consecutively.
- (4) Notices of the procedures to be followed in the event of a fire were displayed in conspicuous positions on the premises.

### Part VI - Safety

#### Regulation 28 - Insurance

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

#### Compliance Information

The service had a certificate of insurance to accommodate 22 children valid until 27 March 2023.