

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DY038
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Name of Service:	Butterfly Garden Preschool
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Address of Service:	223 Navan Road, Dublin 7, Co. Dublin
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Eircode:	D07 H0K6
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Name of Registered Provider:	Sharon Kearney
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Service type:	Part Time, Sessional
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Date(s) of Inspection:	08/05/2023
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No of pre-school children:	AM	19	PM	No.
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Address of the Early Years Inspectorate:	Early Years Inspectorate 2 nd Floor, Unit 4/5 The Nexus Building Blanchardstown Corporate Park Ballycoolin Dublin 15 D15 CF9K
Inspection undertaken by:	T. Nelson
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.

Description of service

Butterfly Garden Preschool is a sessional and part-time care service located in a residential area of Dublin 7. The service participates in the Early Childhood Care and Education Programme, which is delivered on a sessional basis in the mornings from 9.00am to 12.00 noon and also delivers a sessional service in the afternoon from 12.30 to 3.30pm. Seven of the children attend on a part-time basis until 1.30pm.

The preschool operates from a detached single storey purpose-built premises located in the back garden of the registered provider's home. There are two care rooms and sanitary accommodation in the premises. There is a fully enclosed outdoor play area available to the children.

Staffing

There are three staff employed by the registered provider and the registered provider works in the service, providing direct care to the children and managing the oversight of the service. Three adults were present on the day of the inspection, all working directly with the children.

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.

The inspection focused on an examination of compliance under regulations 9(1)(2)(a)(b)(c)(d),(4); 11(1)(4); 19(1)(a), 23, 25 and 26.

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, 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.

(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) The service had a designated person in charge and named person to deputise as required.

(b) The person in charge was present during the inspection.

(2) The files of four adults were reviewed. The registered provider had completed the following checks:

- (a) Seven validated written references were available from recent past employers.
- (b) One validated written reference was available from a source other than a past employer.
- (c) Completed Garda vetting disclosures were available in respect of the four staff members.

(4) The four staff who worked directly with children attending the service held at least a major award in Early Childhood Care and Education at Level 5 or above on the National Framework of Qualifications or a qualification deemed eligible by the Department of Children, Equality, Disability, Integration and Youth Affairs.

Non-Compliance Information

(d) International police vetting was not available for one adult who had lived outside of the state for six months or more as an adult.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider has since received the police vetting for staff member and this is on file. The registered provider is now aware of this requirement for future recruitment.

Supporting documentation submitted

Evidence of police vetting.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance identified under Regulation 9(2)(d) has been adequately 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.

(4) Subject to paragraph (5), where a registered provider contemporaneously provides-

(a) a sessional pre-school service, and

(b) a full day care service or a part-time day care service, or both, the minimum ratio of adults to children applicable for the duration of the sessional pre-school service in respect of the children attending that service shall be the ratio specified in paragraph (3).

Compliance Information

(1) On the day of inspection there were an adequate number of adults working directly with the children attending the service.

(4) The adult to child ratios were correct when the inspectors arrived unannounced to the service and throughout the inspection. The minimum ratio of adults to children was maintained at all times. Three staff were allocated to work directly with the 19 children who were present on the day of the inspection with a breakdown as follows:

- Pre-School Room: there were 2 staff providing direct care to 10 children ranging in age from 3 to 5 years.
- Montessori Room: there was 1 staff providing direct care to 9 children ranging in age from aged 3 to 5 years.

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) Basic Needs:

- Packed lunches were provided by parents, and these were observed to contain healthy food options such as crackers, fruit, cheese and meats. Snack time was observed to be a sociable experience for the children, where flowers were placed on the table, and staff sat with the children and ate some fruit and had a drink. The children were not rushed while having their snack and one child was observed to enjoy their snack at their own pace whilst the other children went to outdoor play. Children had access to drinks throughout the morning.
- Children accessed the toilet when they needed, promoting independence. There were mirrors in the toilets at a low level for the children, facilitating personal care.
- Children were observed to have the freedom to move around the rooms and choose their activity, this promoted independence.

Supporting Relationships:

- Staff were familiar with the children and their families. Staff were observed to discuss activities and outings the children went on or planned to do with family. This facilitates a sense of welcome and belonging in the service.
- The adults demonstrated sensitivity and warmth to the children. They used gentle tones and repeated what the children said. This reaffirms the child's voice in the setting. Staff in the Preschool room were observed to engage in a meaningful way with the children. For example, one staff member participated

as a partner in a small world play experience on the floor with five children who were engrossed in their play, and another staff member respectfully asked would they join in the table top construction activity with two children.

- Staff discussed how they work in partnership with families through the sharing of information on the children's day via a social media platform and an online application. This is further facilitated through conversations at drop-off and collection.
- Transitions were supported through various strategies such as signalling the end of an activity with a buzzer in the Pre-School Room, and through song in the Montessori Room; '1,2,3, eyes on me'. Signalling a change or transition and knowing what is going to happen next promotes predictability, familiarity and comfort for children.

Physical and Material Environment:

- The furniture provided in the rooms was low level and suitable to the children attending. Equipment was displayed on low level shelving visible to children, allowing them to independently choose and access their activity.
- There was an area available with soft matting allowing children to rest and take a break from activities.
- Toys and equipment were labelled with imagery, which facilitated comfort in choosing activities and tidy up time.
- The rooms were divided into clearly defined areas of interest, including construction areas to facilitate physical and cognitive play, mark making areas to facilitate fine motor and cognitive development, home areas with associated props to facilitate role play and imaginative play experiences. Other equipment available to the children included jigsaws; threading, sorting, stacking and linking toys, transporting toys and small world play equipment which facilitated play experiences such as creativity.
- Images of the children and their families were visible throughout the rooms, promoting the child's sense of identity.
- There outdoor play area was fully enclosed and surfaced in synthetic grass and paving. Part of the area was sheltered to allow for outdoor play in inclement weather with tables and chairs for outdoor tabletop activities. Equipment available to the children included a sand table, playhouse, slides, play castle, large plastic building blocks and a range on ride in cars. This facilitated physical and gross motor play and supervised risky play experiences for children.

Programme of Activities:

- Children had the opportunity to make choices in their activities, for example during circle time in the Pre-school Room children asked for the Butterfly song, and they were listened to and the song was played.
- Childrens language and communication was facilitated through strategies such as repetition and the use of songs and gestures.
- Inclusion and diversity were supported though the introduction of words and phrases through the medium of the Irish language and Irish Sign Language.
- The daily programme of activities was displayed in the rooms, and activities were timed to suit the pace of the children in the rooms.
- Children were encouraged to be independent leaders and decision makers through the use of strategies such a ‘juggling jobs’ in the Montessori Room where the children were assigned roles such as ‘chair stacker’ or ‘door holder and light switcher’.

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 service had an electronic door release system to restrict unauthorised persons from gaining access to the premise and to prevent children from exiting the service unsupervised. This was monitored and supervised by staff.
- The service met the necessary safety requirements in respect of the indoor environment, toys and equipment.
- The sand tray in the outdoor play area was fitted with a secure cover.
- Fruit in the children’s packed lunch was observed to be cut in quarters.
- Windows were fitted with restrictors.

Infection Control:

- The premises were in a clean and hygienic condition and documented up to date cleaning records were available and displayed in the premises.

- Appropriate hand washing was supported by the availability of thermostatically controlled warm water, liquid soap and single use hand towels which were available at all wash hand basins used by the children and the staff members.
- Staff were observed supporting children to hand wash before and after snacktime.
- Children were reminded and supported to practice appropriate nose hygiene.

Non-Compliance Information

General Safety:

1. The details of the attendance of the children in the rooms was not recorded in the attendance books contemporaneously. No children were recorded as present when the inspector checked the books at 9.43am in the Montessori Room and at 10.15am in the Pre-School Room. Contemporaneous accurate attendance logs must be maintained to support the safe evacuation of children in an emergency.
2. The child safety locks on the drawers in the Pre-School Room were not adequate. The drawers were accessible to the children and contained hazardous items such as two knives in the top drawer and a lighter in the second drawer. These posed a risk of injury to the children.

Infection Control:

The following increased the potential risk of infection:

3. There was an increased potential for cross contamination as the following items were stored in the sanitary accommodation adjacent to the Montessori Room:
 - Childrens bags with clothing.
 - Two unlidded boxes containing role play equipment and books, a potty was stored on top of the box of books.

Only items for use in the sanitary accommodation area should be stored there.
4. Children lunches were not stored in the fridge. Perishable items such as meats, yogurts and cheeses were observed in the lunch boxes and these items required refrigeration.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. Staff were instructed that from now on to record the children's attendance when they arrive in the door and then to sign them out when they leave. Staff are reminded of the attendance policies and procedures and will be reviewed monthly.

- Child safety locks were ordered online on 29/05/2023. The lighter has been moved to its rightful place which is high up in the press. The knives have been removed until new locks are fitted. Locks on presses and drawers will be checked regularly and added to the risk assessment checklist. Locks will be replaced if they are damaged.

Infection Control:

- Bathroom two has been cleared of boxes. Childrens spare clothes are now in a bag in their own boxes in their room. Any boxes, activity boxes or non-sanitary items are to be stored outside in the shelter area or up in the attic. Parents are asked to leave one set of spare clothes only.
- A fridge will be ordered for the Montessori room. The fridge in the preschool room was emptied and lunches are now stored in there. Every morning, as part of their routine, the children will take out their lunch and put it on their designated shelf in the fridge where their photo is. Policies and procedures will be updated to include this.

Supporting documentation submitted

General Safety:

- Receipt of drawer locks.

Infection Control:

- Photographic evidence of bathroom two.
- Photographic evidence of fridge storage.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliances identified under Regulation 23 have 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) The service provided evidence that a person trained in First Aid Responder training was available at all times to the children attending the pre-school.

(2)(a) and (b) A suitably equipped first aid box was available and was safely stored in an easily accessible and conspicuous position on the premises.

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 record of fire drills was available on the premises with the last drill dated as having been carried out on the 3rd May 2023.

(b) An up-to-date maintenance record was available for the Fire extinguishers and smoke alarms in the premises. The fire extinguishers were serviced in August 2022 and the smoke alarms were maintained on the 23rd August 2022.

(4) A procedure to be followed in the event of a fire was on display in each of the care rooms.