

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DY040
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Name of Service:	Buttons Community Playgroup
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Address of Service:	Ventry Park Recreation Centre, Ventry Park, Cabra West, Dublin 7, Co. Dublin
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Name of Registered Provider:	Dolores Ferris
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Service type:	Sessional
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Date of Inspection:	04/12/2024
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No of pre-school children:	AM	9	PM	N/A
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Address of the Early Years Inspectorate:	Early Years Inspectorate, Child and Family Agency, Unit 4&5 Nexus Building, Block 6A, Blanchardstown Corporate Park, Dublin 15.
Inspection undertaken by:	E Hosford
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

Buttons Community Playgroup is a community service situated in a residential area on the north side of Dublin city. The service operates from a community recreation centre and consists of one care room. The service caters for children aged between 2 to 6 years of age and operates from 9:30am to 12:30pm Monday to Friday. An enclosed outdoor area is available to the children to the side of the premises.

Staffing

The registered provider does not work directly with the children and employs a total of three staff to work directly with the children in the service. There were three adults present on the day of inspection 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 and safety. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under:

- Regulation 9 (1)(a)(b),(2)(a)(b)(c)(d),(3), (4) Management and Recruitment

- Regulation 11(1), (3), Staffing Levels,
- Regulation 15 (1)(a)-(i) Record of Pre School child,
- Regulation 16 (1) (h),(i), (k),
- Regulation 19(1)(a) Health, Welfare and Development of child
- Regulation 23 Safeguarding the Health, Safety and Welfare of the Child and
- Regulation 25 First Aid.

A sampling process was used to assess compliance under Regulation 15 (1)(a)-(i) Record of Pre School child.

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

An Immediate Action notice was issued to the registered provider on the 5 December 2024 in relation to a non-compliance identified under Regulation 9.

A written response and documentation were received on the 5 December 2024 with the actions taken by the service to reduce the risk. See body of report for details.

Following the issue of the draft report a response to the identified non-compliances was required through a Corrective and Preventive Action (CAPA) plan. A CAPA response was received within the given timeframe however, there was a lack of information and evidence to adequately address some non-compliances.

The registered provider was invited to attend a regulatory compliance meeting (RCM) which was held with the service on the 28 February 2025. This meeting was convened to discuss the outstanding information required following the CAPA process. The service manager represented the registered provider at the meeting. A number of issues were discussed and clarified with follow up actions agreed. Following the RCM evidence which addressed the outstanding non-compliances were submitted within the required timeframe and accepted by the inspectorate. Information regarding compliance status following this process can be found in the summary comments of each regulation.

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

(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.

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

(b) The designated person in charge was on the premises when the inspector arrived and was present for the duration of the inspection.

The files of three staff members working in the service were reviewed.

(2)(a) One validated written reference from a previous employer was available for one staff member.

(b) One validated written reference was available for two staff members from a source other than a past employer.

(2)(c) A Garda vetting disclosure was available for one staff member. 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 discussion with the staff present confirmed that no staff member had resided outside of the jurisdiction for more than 6 months as an adult.

(4) One staff member working directly with the children on the day of inspection had documentation available to demonstrate that they held 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.

Non-Compliance Information

(2)(a)(b)

1. One staff member did not have a second validated written reference available for inspection.
2. One staff member did not have two validated written references available for inspection.

(2)(c) Garda vetting disclosures were not available for two staff members. An Immediate Action notice was issued to the registered provider on the 5 December 2024 in relation to a non-compliance identified under Regulation 9.

(3) The procedures required to be completed prior to a staff member commencing employment in the service were not in place for two staff members working directly with the children during the inspection.

(4) Two staff members working directly with the children on the day of inspection did not have documentation available to demonstrate that they held 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.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(a)(b)(c), (3)

In response the service has stated that the required information is complete, and they are aware of the steps to be taken to ensure that these non-compliances don't arise again.

(4) In response the service has stated that the staff member with no childcare qualification will continue to work in the service as a student while they complete their Level 5 childcare qualification. During this time, they will not be considered in adult child ratio's and will work on a supernumerary basis.

Supporting documentation submitted

(2)(a)(b)

- Two validated written references for one staff member.
- Two validated written references for one staff member.

(c) Garda vetting disclosures for two staff members were received by the inspectorate on the 5 December 2024.

(3) No evidence submitted.

(4)

- Documentary evidence of childcare qualification for one staff member.
- Statement from person in charge relating to the plan for one staff member to complete their childcare qualification. This staff member is supplementary to the adult to child ratio requirements.

Summary Comment

The service has addressed the non-compliances under Regulation 9 as identified.

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 registered provider ensured that there was an adequate number of adults working directly with the children attending the service.

(3) The correct adult/child ratio was maintained in the service throughout the inspection. There were three adults caring for nine children aged from 2 to 5 years of age during the inspection.

Part IV – Information and Records

Regulation 15 – Record of pre-school child

(1) A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:

- (a) the name and date of birth of the child;*
- (b) the date on which the child first attended the service;*
- (c) the date on which the child ceased to attend the service;*
- (d) the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;*
- (e) authorisation for the collection of the child;*
- (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;*

- (g) the name and telephone number of the child's registered medical practitioner;*
- (h) record of immunisations, if any, received by the child;*
- (i) written parental consent for appropriate medical treatment of the child in the event of an emergency.*

Compliance Information

(1)

(a) to (i)

On review of the documentation relating to a sample of 10 children's files within the service, the required information and detail was available and complete.

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;*
- (k) details of any accident, injury or incident involving a pre-school child attending the service.*

Compliance Information

(1)

(h) A record was maintained to reflect the time of each child's arrival and departure from the service.

(i) A staff roster was available and reflected the staff present during the inspection.

Non-Compliance Information

(1)(k) On review of six accident and incident records the following information was not recorded.

- A record of an incident that occurred to two children was not available. As a result, written confirmation that the parents had been informed of the incidents was not available. This is at variance with the service policy on accidents and incidents.
- Three records were not signed by the parent to confirm that they had been made aware of the accident/incident.
- One record did not include a risk assessment following the accident/ incident to reduce the potential risk of reoccurrence.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1)(k)

In response the service has stated that parents have now been asked to sign the record book.

Staff have been advised that forms are to be correctly filled in on the day that the form must be completed and signed off by management and checked thoroughly.

Supporting documentation submitted

(1)(k) Documentary evidence of completion of forms

Summary Comment

The service has addressed the non-compliances under Regulation 16 as identified.

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

Basic Needs:

- The children were provided with a snack of bread rolls, cheese, ham, butter and sliced fruits. Additional food was available if required and milk or water was provided to drink. The atmosphere during snack time was relaxed and sociable with staff sitting with the children and engaging in informal conversation.

Supporting Relationships around Children:

- Staff supported children to be independent in their environment including using the toilet independently, tidying up following activities, and dressing for going outdoors.
- Staff engaged with parents and guardians daily at drop off and collection with additional time given to each family to discuss each child's day and activities if required.

Physical and Material Environment:

- The enclosed outdoor play area consisted of a compacted bark surface and a secure fence. The children were provided with sand trays and supporting equipment such as spades, cups, spoons and rakes.

Non-Compliance Information

Basic Needs:

1. A rest area was not available in the care room to enable the children to take time away from the group as desired.

Physical and Material Environment:

2. The care room was not laid out with areas of interest to encourage the children to explore and develop their own interests and abilities. Materials were stored in locked cupboards and shelving units were not accessible. As a result, activities and materials available to the children were structured and planned by the adults. This did not support the children's independence and choice.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Basic Needs and Physical and Material Environment:

1 and 2.

To address the non compliance the service has stated that the room has been rearranged following the inspection with toys open and available for the children to take freely, a cosy corner is now available with a mat placed down for the children to sit on. A bookshelf is beside the mat. Contact has been made with a quality development agency to request support for the service.

Supporting documentation submitted

1 and 2. Photographic evidence of room layouts and evidence that the service has commenced engagement with a quality development service.

Summary Comment

The service has addressed the non-compliances. This will be reviewed 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.

Compliance Information

General Safety:

- The main door into the service was locked throughout the inspection and the external gate in the outdoor area was appropriately secured to reduce the risk of a child exiting the service unsupervised and the unauthorised entry of an adult.
- Cleaning materials were stored out of children's reach.
- Cables and flexes within the service were secured to reduce the potential risk of strangulation.
- Access to the service kitchen and main hallway were restricted and children were supervised while using the sanitary facilities.

Infection Control:

- Adequate hand washing facilities were available in the sanitary facility used by the children, these included thermostatically controlled hot water, liquid soap, paper towels and bins for disposal. Children were observed to wash their hands before snack.
- The service was observed to be maintained in clean condition with a weekly cleaning schedule in place.

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) and (b) A first aid box was available in the service and suitably equipped and accessible to the adults responsible for caring for the children attending the service.

Non-Compliance Information

(1) The registered provider did not ensure that a staff member was trained in First Aid Responder (FAR) and available to the children during the operation of the service. It is acknowledged that three staff members hold paediatric first aid certificates with an expiry date of Decemeber 2026.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1) In response the service has stated that first aid training has now been provided and the service is aware of the importance of this and have taken the steps to keep training up to date.

Supporting documentation submitted

(1) Supporting evidence to demonstrate that one staff member will undertake First Ais Responder training on 26 March 2025.

Summary Comment

Regulation 25 (1) remains outstanding until receipt of the completed FAR certificate for one staff member is received by the inspectorate.