

# TUSLA REGULATORY INSPECTION REPORT



**TUSLA Identifier:** TU2015DY150

**Name of Service:** Naíonra Bharra

**Address of Service:** Ascal an Fhasaigh,  
Cabrach,  
Baile Atha Cliath 7.

**Email Address:** naionrabharra@gmail.com

**Name of Registered Service Provider:** Eilís Uí Langáin

**Type of Service Registered:** **Sessional**

**Date of Inspection:** 1 7 0 2 2 0 2 2

**No of Pre-School Children present during Inspection:** **AM** 21 **PM** 12

**Address of the Early Years Inspectorate:** Early Years Inspectorate  
Child and Family Agency  
Dublin North East  
Ground Floor, Unit 4&5 Nexus Building Block 6A, Blanchardst  
Corporate Park,  
Dublin 15.

**Inspection undertaken by:** E Hosford  
**Title:** Early Years Inspector

Areas which were the subject of this Inspection		
<b>Governance</b>	<b>Health Welfare and Development of Child</b>	<b>Safety</b>

**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.

<b>Description of Service</b>	Naíonra Bharra is a sessional service which operates through the median of Irish. The service caters for children aged between 2 years 8 months to 6 years and operates two sessions from 8:30am to 11:30am and 12 to 3pm Monday to Friday.
<b>Premises</b>	The service is situated on the north side of Dublin city and operates from a care room within Gaelscoil Bharra. The service has access to an all-weather enclosed pitch.
<b>Staffing</b>	The service employs five staff members to include the registered provider and four childcare staff. On the day of inspection there were five adults working directly with the children.
<b>Methodology</b>	<p>Tusla’s Early Years Inspectorate (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.</p> <p>The findings on inspection are based on;</p> <ul style="list-style-type: none"> <li>• Information obtained through examination of documentation</li> <li>• Direct observation</li> <li>• Discussion with relevant staff</li> </ul> <p>This inspection was unannounced and focused on areas of Governance, Health, Welfare and Development of Child and Safety. Inspections may also focus on other areas as required.</p> <p>The inspection process has been amended to minimise the amount of time that inspectors spend in the service. A sampling process was used to assess compliance under regulation 19 health welfare and development of child and regulation 23 Safeguarding health, safety, and welfare of child.</p> <p>The Inspectorate reserves the right to edit responses received for reasons including clarity, completeness, and compliance with administrative and legal processes.</p> <p>The contents of the report are compiled by the inspectorate body.</p>
<b>Additional Information</b>	On the day of inspection, the service was operating a second care room named the ‘Bóthán’ which was situated to the side of the school building. Two staff members were caring for five children during the inspection.
<b>Acknowledgements</b>	The Inspector wishes to acknowledge the cooperation of the designated person in charge, staff and children who were present on the day of the inspection.

## GOVERNANCE

### Part III - Management and Staff

#### Regulation 9 - Management and Recruitment

- (1) A registered provider shall ensure that—
- the service has a designated person in charge and a named person who is able to deputise as required,
  - 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—
- consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,
  - consideration of references from reputable sources in the case of a person who has no past employers,
  - 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
  - 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.
- (6) Paragraph (4) shall not apply before 1 September 2021 to a person who—
- has signed a declaration on or before 30 June 2016 to the effect that he or she intends to retire from employment in a pre-school service before 1 September 2021, and
  - is in possession of a letter from the Minister confirming that paragraph (4) shall not apply to him or her before that date
- (6A is inserted by S.I. No.632 of 2016 CHILD CARE ACT 1991 (EARLY YEARS SERVICES) (AMENDMENT) REGULATIONS 2016 which states; Regulation 9 of the Child Care Act 1991 (Early Years Services) Regulations (S.I. No. 221 of 2016) is amended - in paragraph (4), by the substitution of "paragraphs (5), (6) and (6A)" for "paragraphs (5) and (6)", and (b) by the insertion of the following paragraph after paragraph (6): "
- (6A) Paragraph (4) shall not apply to an employee of a registered provider where - (a) the registered provider receives funding for the employment of the employee pursuant to a scheme funded by the Minister and known as the Access and Inclusion Model, and (b) the employment of the employee is for the purpose of providing support, pursuant to the scheme referred to in subparagraph (a), for a child attending the service to enable the child to participate in the programme known as the Early Childhood Care and Education (ECCE) funding Programme."
- (7) A registered provider shall ensure that all employees, unpaid workers and contractors are appropriately supervised and provided with appropriate information, and where necessary training, including in relation to the following:
- the policies, procedures and statements of the service specified in Schedule 5;
  - Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act, and
  - these Regulations.

## Part III - Management and Staff

### Regulation 9 - Management and Recruitment

Compliance Information:	<p>(1)(a) The service had a designated person in charge and a named person to deputise as required.</p> <p>(b) The designated person in charge was on the premises when the inspector arrived unannounced and was present for the duration of the inspection.</p> <p>One new staff member had been employed in the service since the last inspection.</p> <p>(2)(c) A Garda Vetting disclosure was available for the staff member.</p> <p>(d) International police vetting was available in respect of the staff member who had resided outside of the jurisdiction for more than 6 months as an adult.</p> <p>(4) The staff member employed within the service had evidence to confirm they held a major award in Early Childhood Care and Education at Level 5 or above on the National Framework of Qualifications.</p> <p>(6)(a)&amp;(b) No staff member had signed a declaration before the 30<sup>th</sup> of June 2016, to the effect that they intend to retire from employment, in a pre-school service before the 1<sup>st</sup> of September 2021.</p> <p>(6)(A) Not applicable as no staff members were employed under the scheme known as the Access and Inclusion Model.</p> <p>(7)(a) Documentary evidence available demonstrated that all staff members had received training on the revised policies and procedures of the service prior to commencing work. The revised policies and procedures included infection control, cleaning of care rooms and play materials, signs, and symptoms of ill health and the drop off and collection procedure.</p>
Non-Compliance Information:	(2)(a) Two validated written references were not available for the new staff member.
Corrective & Preventive Action submitted by the Registered Provider	<p><b>Corrective Action</b></p> <p>(2)(a) Two validated written references sent to inspector.</p> <p><b>Preventive Action</b></p> <p>(2)(a) All new staff will have the required documentation prior to commencing employment within the service. A yearly review of all staff files will be undertaken to ensure that all the required documentation is available and up to date.</p> <p><b>Evidence Submitted</b></p> <p>(2)(a) Two validated written references for the staff member.</p>
Summary Comment:	The non-compliances identified under this Regulation on inspection have been adequately addressed.

## Part III - Management and Staff

### Regulation 10 - Policies, Procedures etc. of Pre-school service

*A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.*

Compliance Information:

Many of the policies and procedures had been updated recently to reflect changing practices due to Covid-19. All the services policies, procedures and statements that were required to be available for parents were made available by text message and email. Policies and procedures specific to the service were provided to staff prior to the re opening of the service.

## 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) thereof at that reference number is satisfied.*
- (8) *Without prejudice to paragraphs (2) to (7)—*  
 (c) *a registered provider of a sessional pre-school service shall ensure that, where the person in charge operates the service single-handedly, a second person familiar with the operation of the service and in a position to provide assistance to the person in charge in operating the service is, at all times, within close distance of the service and available to attend the service to assist the person in charge in the event of an emergency.*

Compliance Information:

(1) There were an adequate number of adults working directly with the children as there were five adults working with 21 children in the morning and three adults working with 12 children in the afternoon.

(2) The adult to child ratios were maintained on the day of inspection as outlined below.

**Main room-**

- At 11:10am 3 adults were caring for 21 children aged between 3-5 years
- At 12:50pm 3 adults were caring for 12 children aged between 3-5 years

**Bóthán room-**

- At 10:30am 2 adults were caring for 5 children aged 3-5 years.

(8)(c) A weekly staff roster available demonstrated that two adults were always present on the premises.

## 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:

#### Basic Needs:

- Parents provided the snack eaten by the children and the food observed was reflective of the service healthy eating policy. The children ate sandwiches, crackers, cheese, and fruit. Water was the drink of choice and was available to the children during the session.
- The children were observed sitting at tables that were appropriate to their ages.
- The children were encouraged to use the toilet independently with support being offered if required.

#### Physical and Material Environment:

- The care room was bright and welcoming with the children's recent valentine's day artwork on display. The open shelves had clearly displayed boxes of blocks, bead boards, games, puzzles and stacking shapes. A home area was equipped with play kitchen pots pans and dishes. A construction area displayed cars, trucks, train tracks and a car port.
- The enclosed all weather pitch was accessible to the children and outdoor play was incorporated into the daily service curriculum. Each day the staff members introduced various activities such as games, running, ball playing and balancing games.
- A rest area consisted of soft seating and books.

#### Supporting Relationships around Children:

- The service worked closely with the primary school in delivering a service for the children and families attending. Parents were greeted individually at drop off and collection with the staff being available to discuss their child when necessary.
- Staff within the service were familiar with the children and their families and this created a social and inclusive atmosphere.
- The staff in the care room delivered the daily curriculum and activities to the children in a smooth and unhurried manner. The children were familiar with the routine and appeared confident and secure in their environment.

## 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 internal and external doors and gates were secured and locked with entrance to the service only granted by a member of staff.
- Cleaning agents, kettles and sharp implements were stored out of reach in the care room and sanitary facility.

#### Infection Control:

- Staff were familiar with the systems and procedures in place in the event of; becoming unwell while on duty or on leave or if an adult or child became unwell during the day.
- A dedicated area within the service had been identified and was available in the event of a child or adult becoming unwell during the day. Personal Protective Equipment (PPE) to include masks, single use disposable gloves and aprons were available if they are required.
- A cleaning schedule was in place and all staff were responsible for cleaning play materials and high contact areas such as door handles, taps, work tops, toilets, and surfaces. An adequate amount of cleaning materials were available. Staff reported that play materials were cleaned daily following the departure of children. Each session had their own equipment and materials which were cleaned after use.
- Thermostatically controlled hot water, liquid soap and paper towels were available at the wash hand basins used by the staff and children in the toilet facility. Open windows in the care room and toilet area ensured that the rooms were ventilated. Foot operated pedal bins were provided for the disposal of waste paper in the care rooms and sanitary facility.
- Hand sanitiser was available throughout the service and was positioned in visible positions out of children's reach.
- The service had implemented a revised system for the arrival and departure of children. Parents and guardians remained at the external school gate and a staff member attended to the families individually.
- The service maintained the arrival and departure time of each staff member, child and visitor to the service. The service had requested that parents provide spare clothes for each child in the event they are required.

## 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:	<p>(1) The registered provider ensured that an adequate number of staff members were trained in paediatric first aid.</p> <p>(2) The first aid boxes within the service were suitably equipped.</p> <ul style="list-style-type: none"> <li>(a) The first aid boxes were stored in an easily accessible and conspicuous position on the premises.</li> <li>(b) The first aid boxes were available to the children at all times.</li> </ul>
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## 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:	<p>(1)(a) A written record was available of the fire drills completed in the service. The last recorded fire drill took place on the 15 February 2022.</p> <p>(b) A record was available for the number, type and maintenance of the smoke alarms in the premises, which were last serviced on the 23 February 2021.</p> <p>(4) A notice of the procedures to be followed in the event of a fire was conspicuously displayed in the entrance hall and each care room of the premises.</p>
Non-Compliance Information:	(1)(b) An up-to-date maintenance certificate for the fire extinguishers was not available. The equipment was last serviced on the 05 October 2020.
Corrective & Preventive Action submitted by the Registered Provider	<p><b>Corrective Action</b></p> <p>(1)(b) Maintenance of fire extinguishers took place.</p> <p><b>Preventive Action</b></p> <p>(1)(b) A yearly review of Fire certification will take place to ensure all is up to date.</p>

## Part VI - Safety

### Regulation 26 - Fire Safety Measures

	<p><b>Evidence Submitted</b> (1)(b) Documentary evidence of fire maintenance certificate submitted.</p>
Summary Comment:	The non-compliances identified under this Regulation on inspection have been adequately addressed.

## PART II- Registration and Register

### Regulation 8: Notification of change in circumstances

*(1) A registered provider of a pre-school service other than a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 60 days before it is proposed that the change would take effect.*

Non-Compliance Information:	<ol style="list-style-type: none"> <li>The registered provider did not inform the inspectorate that the registered provider within the service had changed.</li> <li>The service did not inform the inspectorate of their intention to operate a second care room for use by the early years' service.</li> </ol>
Corrective & Preventive Action submitted by the Registered Provider	<p><b>Corrective Action</b> 1 and 2. Change of circumstances form sent to Tusla with supporting documentation.</p> <p><b>Preventive Action</b> 1 and 2. In future all changes of circumstances will be notified to Tusla immediately.</p> <p><b>Evidence submitted</b> 1 and 2. Documentary evidence of a proposed change in circumstances form.</p>
Summary Comment	The change of circumstance (CIC) application was not accepted by the registration department as the application was incomplete. The registered provider was advised to submit a new CIC application with the required supporting documentation in correspondence issued to the registered provider on the 04/04/2022. Regulatory compliance remains outstanding for Regulation 8.