

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015DY193		
<b>Name of Service:</b>	Learn and Play Preschool and Afterschool CLG		
<b>Address of Service:</b>	St. Francis' National School, Prefab Q, Clonshaugh Drive, Priorswood, Dublin 17, Co. Dublin		
<b>Eircode:</b>	D17 TK75		
<b>Name of Registered Provider:</b>	Alison Benson		
<b>Service type:</b>	Part Time, Sessional		
<b>Date of Inspection:</b>	22/11/2024		
<b>No of pre-school children:</b>	AM	18	PM N/A
<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, Floor 7 Brunel Building, Heuston South Quarter, St. John's Road West, Kilmainham, Dublin 8. D08X01F		
<b>Inspection undertaken by:</b>	Y. Kelly and E. Griffin		
<b>Title:</b>	Early Years Inspectors		
<b>Authority to Inspect</b>			
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>	Not applicable.		

### Description of service

Learn and Play Preschool and Afterschool CLG is a community run preschool located in North Dublin. This service operates from a prefabricated building based on the site of a national school. The service is registered to operate a sessional and part time service for children aged between 2 years to 6 years of age. The service operates from 8.50am to 12.30pm Monday to Friday. The service participates in the Early Childhood Care and Education (ECCE) Programme and the ECCE session operates from 8.50am to 11.50am. There are two rooms, the junior room and the senior room, office, staff room/kitchen. There is also sanitary accommodation for the children and adults. An outdoor area is allocated on the grounds for preschool use only.

### Staffing

The registered provider employs a total of six adults including the person in charge, and five adults who work directly with the children including one adult who is employed under the access and inclusion model. The registered provider works in the service in a supernumerary capacity overseeing the day to day operation of the service. There were seven adults present on the day of the inspection including the registered provider, the person in charge, four adults working directly with children and one student were present on the morning of the 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 areas of governance, health, welfare and development of the child and safety. The inspection may also focus on other areas as required. The following regulations were reviewed:

Regulation 9 (1)(2)(3)(4) Management and Recruitment.

Regulation 11 (1)(2) Staffing Levels.

Regulation 15 Record of a Pre-school Child.

Regulation 16(1)(j)(k) Record in Relation to Pre-school Service.

Regulation 19 (1a) Health, Welfare and Development of the Child.

Regulation 23 Safeguarding Health, Safety, and Welfare of Child.

Regulation 26 Fire Safety Measures.

Regulation 28 Insurance.

As a result, the scope of the inspection included the two care rooms: Junior room and Senior room. A sampling process was used to assess compliance under: Regulation 15, Regulation 16, Regulation 19 and Regulation 23.

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 under Regulation 23 to the registered provider on the day of inspection in relation to a safety concern identified.

A response was received on 23 November 2024 from the registered provider which mitigated the risk identified. Please see details in the body of the report.

### Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered provider, deputy 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.*

*(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 present when the inspectors arrived unannounced to the service.
- (c) The service had a clear management structure in place with clear roles and responsibilities outlined.
- (2) The files of the registered provider and seven adults including the student were reviewed.
- (a) Ten written and verified references were available from past employers.
- (b) Six written and verified references were available from a reputable source other than a past employer.
- (c) Garda vetting disclosures were available for the registered provider and for the seven adults. 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 available for two adults who had lived outside of the state for six months or more as an adult.
- (4) Evidence was available to show that five adults who work directly with the children 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.

### Non-Compliance Information

- (4) Evidence was not available to show that one adult who worked directly with the children 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 Action**

The staff member has completed 13 QQI Level 6 modules including all core modules. The staff member contacted QQI for the major award certificate and was advised to contact the college and ask for a recognition of prior learning certificate. The staff member has done so and is now awaiting the certificate. To date it has not arrived. Management will forward this to Tusla once received.

### **Preventive Action**

Management will ensure that all new recruits have a QQI major award certificate or recognition of prior learning certificate before employing them.

### **Supporting documentation submitted**

No Supporting documentation submitted.

### **Summary Comment**

The corrective and preventive actions proposed by the registered provider are sufficient to adequately address the non-compliances identified under Regulation 9. However, Regulation (9)(4) remains outstanding until the certificate is received and kept on the staff members file at 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.*

*(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.*

### **Compliance Information**

(1) On the day of the inspection there was an adequate number of adults working directly with the children attending the service to meet their care needs. There were six adults caring for eighteen children present on the morning of the inspection.

(2) The registered provider ensured that the correct adult to child ratios were maintained in the service.

- Junior Room: there were two adults caring for thirteen children aged 2 years to 3 years of age in the morning.
- Senior Room: there were three adults caring for five children aged 3 years to 5 years of age in the morning.

### 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.*

*(3) A record in writing referred to in paragraph (1) or (2) shall be open to inspection on the premises by-*  
*(c) an authorised person.*

#### Compliance Information

(1) On review of a sample of ten children's registration records, the required information and details were available. The following information was included:

- (a) the name and date of birth of the child.
- (b) the date on which the child first attended the service.
- (c) a provision for the date the child ceased to attend the service.
- (d) the name and address of an emergency contact of the child that 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.

(i) written parental consent for appropriate medical treatment of the child in the event of an emergency.

(3)(c) Records were open to inspection by an authorised person. All records requested by the inspection team were available for review.

### Non-Compliance Information

On review of the ten children's registration records completed, seven of the ten children's records did not include Part (1)(h) record of immunisations, if any, received by the children, this section had been left blank.

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

#### **Corrective and Preventive Action**

A register of all children with no immunisation record was established. A letter was sent out to parents/guardians along with a copy of the service Infectious Disease Policy.

#### **Preventive Action**

A copy of the service Infectious Disease Policy will be included in the Parent Pack given to parents prior to children attending our service. This will also include information on immunisation along with it. We will continue to maintain a register of non-immunisations.

#### **Supporting documentation submitted**

Documentary evidence of the immunisation letter.

### Summary Comment

The corrective and preventive actions proposed by the registered provider are sufficient to address the non-compliances identified under Regulation 15.

### 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:

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

#### Compliance Information

(1) The registered provider ensured that a record in writing was kept in relation to the following information about the service:

- (i) Details of the staff roster were available and up to date.
- (j) The registered provider confirmed that no medication had been administered to any children in the service. A blank medication administration form was reviewed on the day of the inspection. This form included all the necessary information required in the event of medication administration.

#### Non-Compliance Information

(k) A sample of ten accident and incident records were reviewed as part of the inspection. There was no date beside the parent signature recorded to show the date that the parent was informed of the accident/incident. It is important that parents/guardians are informed of any accident/incident relating to their child so they can monitor their child appropriately.

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

##### Corrective Action

Staff have been advised to ensure parents include the date on the document as well as their signature.

##### Preventive Action

Staff will ensure parents include the date on the document as well as their signature.

##### Supporting documentation submitted

No supporting documentation submitted.

#### Summary Comment

The corrective and preventive actions proposed by the registered provider are sufficient to address the non-compliances identified under Regulation 16.

### 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

(1)(a) Each child's learning, development and wellbeing was facilitated within the preschool in the following ways:

#### Basic needs:

- Children brought snacks from home. Alternative snacks and drinks such as water were available if required. The children's snack time was observed to be calm and relaxed. Children were observed to sit together and chatted socially during this time and staff offered help to children when needed.
- Identity and belonging were promoted in the service. For example, there was a 'Family Wall' display, birthday wall display, and the children's artwork was displayed throughout the care rooms. In addition, each child had their own labelled coat hook and had their own storage area for their belongings to be stored throughout the session.
- There was a cosy area observed in each care room for the children to relax in as required. The cosy areas were equipped with soft seating, soft cushions and a selection of books for reading and relaxation.

#### Supporting relationships:

- Staff demonstrated warm and caring interactions with the children and children were given praise and encouragement. A staff member was observed for praising a child for taking the lid off the yoghurt by themselves.
- Children were offered comfort and support when needed, a child was observed sitting on an adult's lap being comforted.
- Staff were observed interacting with children at their level and engaging in children's play such as dramatic play in the Home Corner area. Staff expanded on children's vocabulary by naming colours and days and discussing the weather for example, "the ground is frosty".
- The service used an electronic application to communicate with parents. The inspectors observed staff greeting parents at collection time and updating parents verbally on their child's day in the service. In addition, staff hold an open night with parents before the child begins.

- Transitions were observed to be well managed; children were given five-minute verbal cues to support them with the transitions. The children engaged well with tidying up, putting items away independently and preparing for snack time in the Senior room. In addition, the daily routine was displayed using a visual timeline on the wall in both care rooms and the routine was reflected in practice. Routines provided for predictability and comfort for young children.
- There was evidence to show that transitions were supported from home to the service, for example staff discussed how the children visited the service before they began to meet with other children and staff to become familiar with the room before starting in the preschool.

### **Physical and Material Environment**

- There was a sufficient number of low tables and chairs to accommodate children whilst they played and ate in the two care rooms.
- The care rooms were divided into different areas of interest which provided opportunities for a variety of spontaneous play experiences for the children. These interest areas included: Construction Area, Reading Corner/Cosy Corner, Small World Area, Home Corner and Sensory Area. In addition, there were chalk boards and chalk to support mark making and children' creativity.
- Children were observed to be given choice in their play experiences. Children were observed painting snowmen, engaged in sensory play with sand, and engaged in imaginative play in the Home Corner area. Children were observed to be taking part in an obstacle course and walking on balance blocks. This promoted gross motor development and fundamental movement skills.
- Language and early numeracy skills were promoted for example, at circle time children were observed singing songs and there was a measuring chart with each child's height marked on it.
- There was evidence that diversity and inclusion were promoted within the service for example there was equipment such as dolls with various nationalities and abilities.
- In the outdoor play area there was a slide, climbing equipment, see-saw, outdoor kitchen with materials, swings, sandpit, climbing frame, seated area and sensory garden and open-ended play resources such as tyres. There was a supply of ride on toys and bikes and scooters in the shed.

## Non-Compliance Information

There was evidence the staff did not follow their own 'healthy food' policy. Evidenced by the following.

- Children were observed to drink juice and eat food items that would not be considered healthy for example chocolate spread. This is at variance with the service's 'healthy food' policy which states "Juices and fizzy drinks have a high sugar content and are not permitted in Learn and Play Afterschool", and healthy eating is encouraged.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective Actions

Staff were re-issued with the Healthy Eating Policy and asked to become familiar with it again. A letter was sent to all parents advising them of our healthy eating policy and asking them to adhere to it. Staff now check children's lunch prior to children putting it in the fridge and any non-healthy items i.e. juice, chocolate spread sandwiches, unhealthy bars are removed before the children take their lunch out of their bags. Water is left out for children to access throughout the morning.

### Preventive Actions

Staff are more vigilant and are enforcing the healthy food policy. The policy is included in our Parent's Pack given to parents/guardians before children commence in the service. Management will ensure that the policy is adhered to.

### Supporting documentation submitted

Documentary evidence of the healthy eating letter to parents / guardians dated 24 November 2024.

## Summary Comment

The corrective and preventive actions proposed by the registered provider are sufficient to address the non-compliances identified under Regulation 19.

### 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:

- On arrival to the service, the inspectors observed that the door was secure and monitored by staff. There was a visitors' book for all visitors to sign upon entry to the service.
- There were socket covers on all plug sockets accessible to children.
- The blind cords were observed to be secured in the care rooms.
- Cleaning agents were stored safely and not accessible to children.
- Adults were aware of choking hazards, including grapes. The inspector observed adults to check every container at lunchtime for uncut grapes and any potential choking hazards.
- The outdoor play area was securely gated and fenced. There was evidence of daily risk assessments carried on the outdoor play area daily.

##### Infection Control:

- Children's lunches which were brought from home, were refrigerated to prevent spoiling of perishable items. Dietary requirements including food allergens and children's preferences were displayed in the room for staff awareness.
- The sanitary area and care rooms were equipped with liquid soap and dispensed towels. Children were observed to hand wash before lunch time.
- During nappy changing, staff were observed to use disposable aprons and disposable gloves.
- Windows were open for circulation of air.
- Pedal operated bins were available for disposal of contaminated items.

##### Administration of Medication:

- There was an administration of medication consent form available should it be required. The registered provider and staff confirmed that no medication had been administered. There was a book available with required information to record medication if required to be administered at any stage.

##### Fire Safety:

- Emergency exits were clearly labelled and unobstructed in the event of emergency evacuation.

## Non-Compliance Information

### General Safety:

1. Radiator temperatures on the four radiators located in the two care rooms, exceeding 50°C. Temperatures recorded were between 52.5 °C to 57.4°C. This posed a risk of a child receiving a burn injury. An Immediate Action Notice was issued to the registered provider. It is acknowledged that the service took immediate action to rectify the non-compliance identified by reducing the radiator temperatures in the care rooms when the inspector brought the identified risk to their attention.

### Infection Control:

2. There was a leak observed behind the toilet in the sanitary accommodation beside the junior room. A malodour was present in the sanitary accommodation. The leak posed an infection control concern.

## Action submitted by the Registered Provider

### General Safety:

#### Corrective Actions

1. All staff have been shown how to adjust the temperature on the radiators. Radiator thermometers were purchased for each room and temperatures are recorded on a daily basis to ensure the temperature does not exceed 50°C.

#### Preventive Actions

1. Staff to ensure temperatures do not exceed 50°C on each radiator. Daily recordings of temperatures are recorded on the updated Risk Assessment Form.

### Infection Control:

#### Corrective Action

2. At the time of the inspection, management were aware of the leak in the toilet and were waiting on the plumber to come out and repair same. The plumber has now fixed the leak.

#### Preventive Action

2. Management will contact a plumber and ensure there is no access to the toilet until repair has been carried out.

## Supporting documentation submitted

### General Safety:

Documentary evidence of the updated risk assessment form.

### Infection Control:

No supporting documentation submitted.

## Summary Comment

The corrective and preventive actions proposed by the registered provider are sufficient to address the non-compliances identified under Regulation 23.

## 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 17 October 2024.
- (b) The number, type and maintenance record for fighting equipment and smoke alarms were available. Firefighting equipment was last serviced on 12 June 2024. Smoke alarms were last serviced on 28 August 2024.
- (4) Fire evacuation procedures were displayed throughout the service.

## Part VI - Safety

### Regulation 28 - Insurance

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

### Compliance Information

Evidence of insurance was available to demonstrate there was cover for a maximum for 44 children for part time day care with an expiry date of 27 March 2025.