

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier: TU2015FL110

Name of Service: Happy Kids

Address of Service: 104 Edgewood Lawn, Blanchardstown, Dublin 15, Co. Dublin

Eircode: D15 XW73

Name of Registered Provider: Rosemary Carder

Service type: Sessional

Date of Inspection: 12/12/2024

No of pre-school children:	AM	10	PM	6
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Address of the Early Years Inspectorate: Early Years Inspectorate,
Floor 7 Brunel Building,
Heuston South Quarter,
St John's Road West,
Kilmainham,
Dublin 8 D08 X01F

Inspection undertaken by: E. Griffin

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

Happy Kids service is a privately owned service located in a residential area of Dublin. The service is a purpose-build facility positioned to the side of the registered providers' house. The service provides a sessional service for children aged between 2 to 6 years and operates from 9.00am to 12.00pm and 12.30-3.30pm Monday to Friday. The service participates in the Early Childhood Care and Education Programme (ECCE). The service has one care room, a small kitchen and children have direct access from the care room to an outdoor play area. There

Staffing

The registered provider works in the service in a supernumerary capacity and employs three staff members to work in the service; two of whom are employed under the Access and Inclusion Model and the person in charge who works directly with the children and oversees the day to day running of the service. On the day of the inspection person in charge and two staff members were present.

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 inspection may also focus on other areas as required. The following regulations were reviewed:

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

Regulation 11(1), (3) and (8) Staffing Levels.

Regulation 15 Record of a Pre-School Child.

Regulation 16 Record in Relation to Pre-School Service.

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

Regulation 25 First Aid.

Regulation 26 Fire Safety Measures.

Regulation 28 Insurance.

As a result, the scope of the inspection included the one care room and the outdoor play area. 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.

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.

(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 needed.
- (b) The designated person in charge was present when the inspector arrived unannounced to the service.
- (c) The service had a clear management structure and staff were aware of their own role and responsibilities.
- (2) The files of the registered provider and three staff who work in the service were reviewed.
- (a) Six written and verified references were available from past employers.
- (b) Two 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 three staff members. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(4) Evidence was available to show that the person in charge and two staff members 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

Non-Compliance Information

(2)(d) The registered provider did not ensure that international police clearance checks were carried out prior one staff member working in the service. International police vetting was not available for one staff member who had lived in a country other than Ireland for a period of six months or more as an adult.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

The staff member is currently trying to obtain the police clearance as the staff member has misplaced the original copy of the police clearance.

Preventive Action

Ensure all copies of police clearance is provided by anyone who has lived outside of Ireland for more than 6 months during their adult life.

Supporting documentation submitted

No supporting documentation submitted.

Summary Comment

The corrective and preventive actions taken by the registered provider are sufficient to address the non-compliances identified under Regulation 9. However, Regulation 9(2)(d) will remain outstanding until the police vetting has been processed and kept in the staff members file at the service. This regulation will be reviewed on the next inspection.

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.*
- (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 was an adequate number of adults working directly with children at all times during the inspection.
- (3) The minimum ratio of adults to children was maintained. The following ratios were observed:
- There were three staff members caring for ten children aged 2 to 6 years attending on a sessional basis during the morning.
 - There was one staff member working caring for six children aged 2-6 years attending on a sessional basis during the afternoon.
- (8)(c) The service is run single handedly during the afternoon session. The registered provider ensured that a second familiar person with the operation of the service is able to provide assistance to the deputy person in charge, at all times, within close distance and is available to attend the service to assist the deputy person in charge in the event of an emergency.

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) A sample of ten children's files were reviewed as part of the inspection. The registered provider ensured that the information required under (a)-(i) was maintained for each child.

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

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:

- (a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor;*
- (b) details of the class of service and the age profile of children for which the service is registered to provide services;*
- (c) details of the adult:child ratios in the service;*
- (d) the type of care or programme provided in the service;*
- (e) the facilities available;*
- (f) the opening hours and fees;*
- (g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;*
- (h) details of attendance by each pre-school child on a daily basis;*
- (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.*

(3) A record referred to in paragraph (1) shall be open to inspection on the premises, and the documents and records referred to in paragraph (2)(a) shall be open to inspection whether on the premises or elsewhere, by an authorised person.

Compliance Information

(1) The registered provider ensured that there was a record kept in writing of the information (a-i) in relation to the service.

(j) The person in charge confirmed that no children had received medication since the last inspection. A sample of a medication record form was reviewed, and this form contained all necessary information required if medication needed to be administered at any time.

(k) A sample of ten accident and incident records completed during 2023 and 2024 were reviewed as part of the inspection. All information was completed in full.

(3) All records and documentation requested by the inspector were available for review.

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) Basic Needs:

- The presence of 'Family Wall' display, 'Family Wall Pet' display, 'Birthday Time' display and the children's artwork on display throughout the care room demonstrated a sense of identity and belonging for the children.
- There were two cosy areas observed in the 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. In addition, the outdoor play area had a bench and outdoor sofa with cushions present for the children to sit and rest during outdoor play time.
- Children from both the morning and afternoon session were observed to access the outdoor play area. This supports their social, cognitive, and gross and fine motor development.

Supporting Relationships:

- Conflict resolution was observed to be well managed; children were spoken to in a gentle manner and the inspector observed staff give two children a visual sand timer to help them identify whose turn it was to play a toy that both children showed an interest in playing with.
- The children engaged well with tidying up, putting items away independently and preparing to go the outdoor play area. Children were encouraged to put on their own coats and hats and scarfs prior to going outside. This promoted independence for the children.
- There was evidence that equipment and materials provided were based on the children's emergent interests. Staff showed the early years inspector a newly set up recycling area. Staff discussed how the children had been curious about recycling. Following this conversation staff had got the parents involved to seek out all types of recycling material. Staff discussed how this had supported conversations around the impact on the environment within the service and at home.

- The staff discussed that they communicate with parents at arrival and at collection time. The service used an electronic application to keep parents updated regarding their child’s experience in the service. Staff discussed how they hold one to one meetings with parents in January.
- There was evidence that transitions are well managed. Staff discussed how they given parents a booklet with information on the transition and how they shared information about the child with the primary school in collaboration with the parents.

Physical and Material Environment:

- The layout of the care room with defined areas of interest, an adequate supply of props and supporting equipment facilitated choice and supported engaging and spontaneous play experiences. In addition, children’s choices were supported with the use of a visual choice board with photographs which was available to the children for planning activities.
- Toys and materials were accessible on low level shelving which allowed children to access them independently. This included a home area with supporting equipment, a construction area with props, art materials with aprons provided and a sensory and nature table.
- Low level tables and chairs were available for use by the children which allowed them to engage in tabletop activities and meals comfortably.
- A selection of books which were suitable to the age and stage of development of the children were available to encourage early literacy development supporting children’s language development.
- The service has the use of an outdoor play area which was divided into two sections, one section was partially sheltered and equipped with a range of toys and materials to support a variety of play experiences including gross motor and imaginative play. Play equipment included a post office playhouse, a shop playhouse both provided with a range of supporting equipment. There was also a large wooden structure with a climbing wall, a water funnel feature on the wall, ride on equipment and a sensory play area.

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 side entrance gate leading to the main door of the service was secure when the inspector arrived unannounced to the service. This prevented unauthorised access and exit of children.
- The outdoor play area was secured with a surrounding wall and was securely gated to prevent unauthorised access and exit of children.
- The kitchen was not accessible to the children and the safety gate remained closed throughout the inspection.
- Blind cords were secured safely out of reach of the children.
- There were no flexes or cables observed that were accessible to the children.
- The radiators had protective radiator covers. This prevented a child from being injured from the heat source.
- Cleaning agents were stored safely out of the reach to the children.
- Toys and equipment used by the children were observed to be well maintained and in a good state of repair.

Infection Control:

- The sanitary area was equipped with liquid soap, warm water and hand drying facilities. The children were observed to be familiar with the routine to wash their hands before eating, after outdoor play and after using the toilet.
- Foot pedal operated bins were available in the care room and sanitary area to allow hygienic disposal of contaminated materials.
- The premises was observed to be in a clean and hygienic condition.

Administration of Medication:

- The service had an individual care plan on display to identify the medication requirement and procedures in the event of an emergency for children who had an identified diagnosed medical condition. In discussion, staff were aware of the procedures to follow as per the care plan.

- Emergency medication was located and safely stored inaccessible to children in the care-room in the original box.

Fire Safety:

- On the day the day of inspection, it was observed that the fire emergency exit door was clear from obstruction. This helped ensure the safe effective evacuation of children and staff in the event of an emergency.

Non-Compliance Information

General Safety:

1. Staff were not aware of choking hazards at snack time. The inspector observed one child to eat popcorn at snack time and another child's lunch box contained an uncut piece of fruit with a stone in. Both items presented a choking hazard and are a risk to young children. HSE and Tusla guidelines state that popcorn should not be given to young children and all fruit and vegetables served must be quartered or halved.
2. A child was observed to use a small child sized trampoline in the outdoor play area. Trampolines are prohibited from early years services due to the risk of injury to children. It is acknowledged that the person in charge took immediate action to address the non-compliance by removing the trampoline when the inspector brought the identified risk to their attention.

Action submitted by the Registered Provider

General Safety:

Corrective Actions

1. Staff are now aware of choking hazards with the food items that had been brought in on the day of the inspection. We will continue to sit alongside children or stand close by while they eat. Staff know the relevant measures to take in the event of choking taking place. On the day the popcorn was removed along with the plum and parents informed verbally of recommendations.
2. Item was removed immediately.

Preventive Actions

1. Parents have been informed verbally about no longer sending in popcorn, fruits and vegetables being cut up, no fruits containing pips are to be sent in. This was also done again through our information newsletter and other suggested food items have been given.

Staff also have been checking lunches in the morning prior to children eating to ensure health and safety rules are in compliant regarding food items allowed into preschool.
2. No trampolines or such equipment will be purchased in the future.

Supporting documentation submitted

General Safety:

No supporting documentation submitted.

Summary Comment

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

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. The person in charge who is rostered to work both the morning and afternoon sessions daily showed evidence of certification in First Aid Response training.

(2)(a) and (b) Suitably equipped first aid boxes were available and were 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.
- (2) The record referred to in paragraph (1) shall be open to inspection by-
- (c) an authorised person.
- (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) Documentation was available to demonstrate that fire drills were practiced monthly. The last fire drill took place on 22 November 2024.
- (b) The number, type and maintenance record of the firefighting equipment was up to date. Fire extinguishers were last serviced in September 2024. Smoke alarms were serviced in September 2024.
- (2)(c) Records were open to inspection by an authorised person. All records requested by the inspector were available for review.
- (4) Procedures detailing the steps to take in the event of a fire were displayed on the wall in the care room.

Part VI – Safety

Regulation 28 – Insurance

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

Compliance Information

The registered provider ensured that the service was adequately insured. The insurance certificate provided for review showed cover for a maximum of 11 children attending the service on a sessional care basis with an expiry date of 27 March 2025.