

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015FL245
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<b>Name of Service:</b>	Play and Learn
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<b>Address of Service:</b>	68 Cianlea, Swords, Co. Dublin
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<b>Eircode:</b>	K67 W1R8
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<b>Name of Registered Provider:</b>	Martine Mc Connell
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<b>Service type:</b>	Full Day, Part Time, Sessional
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<b>Date of Inspection:</b>	23 January 2023
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<b>No of pre-school children:</b>	AM	22	PM	14
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<b>Address of the Early Years Inspectorate:</b>	181-189 Lakeshore Drive, Airside Business Park, Swords Co. Dublin
<b>Inspection undertaken by:</b>	S Taaffe
<b>Title:</b>	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).

<b>Conditions if applicable</b>	Not Applicable
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### Description of service

Play and Learn is a privately-owned full day care service which has been in operation since 2000, located in a residential housing estate in Swords, Co. Dublin. The service provides sessional, part-time and full day care for pre-school children from 2 – 6 years of age. Play and Learn is also registered to provide a school age service although no school aged children currently attend the service. Eligible pre-school children are facilitated to participate in the Early Childhood Care and Education (ECCE) scheme from 8.45 – 11.45am and from 12.45 – 3.45pm daily for 38 weeks each year. The service is registered to operate from 8.00am to 6.00pm from Monday to Friday, although all children currently attending have left the service by 4.00pm daily.

### Staffing

The registered provider works in the service on a daily basis and employs 4 staff members (one of whom is on statutory leave) and all who work directly with the children. One of these staff members is employed in a post which is partly funded by the Minister under the Access and Inclusion Model scheme, to reduce the adult to child ratio and, when necessary, to work directly with a child with additional needs.

### Methodology

Tusla's Early Years Inspectorate is the independent statutory regulator of early years services in Ireland. The Child Care Act 1991 (Early Years Services) Regulations 2016 define the duty of a registered provider to ensure the safety and well-being of children and to comply with these regulations. This Act also gives Tusla the authority to assess compliance with the regulations. The purpose of regulation in relation to early years services is to ensure that the care, safety, and well-being of children attending such services is upheld. Inspections of early years services are planned based on the following:

- Previous inspection history
- Any information received in relation to the service

The findings on inspection are based on:

- Information obtained through examination of documentation
- Direct observation
- Discussion with relevant staff

This inspection was unannounced and focused on the area of governance/ health, welfare and development of child/ safety. The inspections may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9, 11, 15, 19, 20, 22, 23, 25 and 26.

The findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under regulation 15 - 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.

### Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered provider, staff and children who were present on the day of the inspection.

### Part III – Management and Staff

#### Regulation 9 – Management and recruitment

(1) A registered provider shall ensure that-

- (a) the service has a designated person in charge and a named person who is able to deputise as required,
- (b) at all times during the period when the pre-school service is being carried on, the designated person in charge or the named person referred to in subparagraph (a) is on the premises, and

(2) A registered provider shall ensure that each employee, unpaid worker and contractor is suitable and competent taking into consideration the nature of the needs of children, including by-

- (a) consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,
- (b) consideration of references from reputable sources in the case of a person who has no past employers,
- (c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the person, and
- (d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.

(4) A registered provider shall ensure that, without prejudice to the generality of paragraph (2) and subject to paragraphs (5) and (6), each employee working directly with children attending the service holds at least a major award in Early childhood Care and Education at Level 5 on the National Qualifications Framework or a qualification deemed by the Minister to be equivalent.

#### Compliance Information

(1)(a) The registered provider was the designated person in charge and a named person had been nominated to deputise when required.

(b) The registered provider was present and in charge of the serviced when the inspector arrived unannounced at 9.30am.

Following a review of previous inspection records and in discussion with the registered provider it was confirmed that 2 new staff members commenced working in this service since the last inspection on 16/10/2020. The files maintained for these 2 staff members were reviewed by the inspector.

(2)(a) & (b) There were 2 written references available for each of the 2 new staff members. Of the 4 written references available, 3 were validated.

(a) Two written references were from past employers.

- (b) Two written references were from sources other than a previous employer.
  - (c) Garda vetting disclosures were available for the 2 staff members whose files were reviewed.
  - d) Not applicable as there was no evidence that international police vetting was required for the 2 new staff members.
- (4) The 2 new staff members held a major award in Early Childhood Care and Education at Level 5 - 6 on the National Framework of Qualifications.

## Non-Compliance Information

(2)(a) & (b) There was no evidence available on the day of inspection to show that 1 of the 4 written references reviewed had been validated.

## Corrective & Preventive Action submitted by the Registered Provider

The registered provider stated the following corrective actions and preventive actions have been carried out:

### Corrective Actions:

(2)(a) & (b) Reference has been validated.

### Preventive Actions:

(2)(a) & (b) The registered provider will make sure all the paperwork is in order at all times.

### Supporting documentation submitted

Copy of the relevant reference was provided to the Inspectorate.

## Summary Comment

The submitted reference has been reviewed and accepted. The non-compliance observed under Regulation 9 has been adequately addressed.

### Part III – Management and Staff

#### Regulation 11 - Staffing levels

*(1) Subject to this Regulation, a registered provider shall ensure that there is at all times an adequate number of adults working directly with the children attending the pre-school service.*

*(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.*

*(8) Without prejudice to paragraphs (2) to (7)-*

*(a) a registered provider of a pre-school service other than a child-minding service or a sessional pre-school service shall ensure that there are at least 2 adults on the premises at all times*

#### Compliance Information

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

(2) The adult to child ratios were correct in the service when the inspector arrived unannounced to the service and remained so throughout the inspection.

The following adult to child ratios were observed during the inspection:

- During the morning of the inspection there were 22 pre-school children aged 2½ - 5 years, of whom 10 were attending on a sessional basis, being cared for by the registered provider and 3 staff members. One of these 3 staff member was employed in a post which was partly funded by the Minister under the Access and Inclusion Model scheme, to reduce the adult to child ratio and, when necessary, to work directly with a child with additional needs.
- On the afternoon of the inspection there were 14 pre-school children aged 2½ - 4 years, of whom 11 were attending on a sessional basis, being cared for by the registered provider and 2 staff members.

(8)(a) The registered provider ensured that 2 adults were present on the premises at all times, verified by staff rosters and staff attendance records maintained at the service.

### 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) Registration forms were available for each child who attends the service. Twenty-two registration forms were sampled and found to be appropriately completed with the required information as specified in sub-sections (a) to (i) in this regulation.

### 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) The following examples demonstrate how children's learning, development and well-being was facilitated in the service:

##### Basic needs:

- The adults were observed speaking to the children warmly and respectfully and listening attentively to each child. The adults were observed offering choices to the children, using the child's name, making eye contact and speaking in a positive tone to all children.
- The registered provider and staff members extended interactions through chat and conversation with the children during snack and mealtimes in a relaxed and sociable manner.
- Nappies were changed regularly and in a timely manner and good interactions were observed taking place between the adults and children during these procedures. The staff members were observed to be responsive to the children's cues that they needed to use the toilet and were observed gently reminding children at times and providing assistance when necessary.
- A station was set up in the care room and in the outdoor area with tissues, hand sanitiser and facial wipes provided on a low level shelving unit, with a bin close by, which supported the children's independence.
- When dealing with the occasional minor conflicts that arose between the children, the adults were observed to use positive tones and language to support the children to share, take turns and negotiate. The adults demonstrated a good knowledge of individual personalities and were also observed distracting and re-directing the children as necessary, which prevented any escalation or upset on the children's part.

##### Supporting relationships around children:

- There was a welcoming atmosphere in the service; the registered provider greeted children and parents individually in a friendly way at the front door on arrival and appeared to know the families well.

- There was a consistency in staff provision in the service and the staff were observed to be familiar with the children's preferences, interests and needs. The adults were heard making reference to the children's siblings, pets and friends by name during the inspection which nurtured links with family and home.
- The children were observed asking the staff members for help at times which was promptly provided.
- Child-led play was facilitated during the inspection as evidenced by individual and small groups of children playing in different areas of interest in the care room or by being involved in a range of table top activities, including when the inspector arrived unannounced to the service.
- There was evidence of positive teamwork taking place during the inspection as evidenced in the staff interactions observed, in the smooth handover of responsibilities at staff break times and when coordinating the implementation of activities.

### **Physical and material environment:**

- Posters, drawings and books were included in the learning resources provided in the service to support the children's knowledge and awareness of their feelings and emotions. The adults were heard to encourage the children to express how they were feeling at different times during the inspection.
- All children were afforded the opportunity for a change of environment in the well-resourced outdoor play area and were dressed appropriately prior to going outside. Based on discussion with staff and on the photographs and learning journals on display, outdoor play featured dominantly in the service's programme of activities on a daily basis.

### Part V - Care of Child in Pre-school Service

#### Regulation 20 – Facilities for rest and play

*(1) Subject to this regulation, a registered provider shall ensure that-*

*(a) having regard to the number of pre-school children attending the service, their respective ages and the amount of time they spend on the premises, there are adequate and suitable facilities for each child to play indoors and, where required by these Regulations, outdoors, during the day, and*

*(b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.*

*(3) A registered provider of a full day care service, a part-time day care service or a childminding service, other than such a service to which paragraph (2) applies, shall ensure that-*

*(a) a suitable, safe and secure outdoor space to which the pre-school children attending the service have access on a daily basis is provided on the premises,*

#### Compliance Information

(1)(a) The care room was long and narrow in shape and the registered provider had innovatively created defined interest areas to make it appealing to children. This was achieved through the positioning of shelving units and larger play equipment such as the wooden kitchen to semi-enclose spaces, predominantly although not exclusively, along one long wall. The interest areas included a home corner and shop area, an arts and crafts area, a construction zone and a reading and relaxation area, all of which were suitably resourced to facilitate the children to engage in play and activity and support their learning and development. A broad range of books were provided and the children's language development was facilitated during the inspection through conversations heard, story-telling and singing. Toys and play materials were stored appropriately; low level open-fronted shelving ensured that all equipment was visible and within easy reach of the children at their height, thereby facilitating child-led play. There were family photographs on display in the service to maintain links with home, whilst the local community was reflected in photographs of local buses, the playground, Garda station, fire station, primary school and swimming pool which were on display at the children's eye level.

(b) A suitable comfortable rest area was available in the care room, with a low level child-sized couch, floor mat, cushions and blankets provided, should a child need to rest or take a break from activities during the day. Sleep mats were available should a child wish to sleep in the service, although the registered provider that this happens infrequently. Cots were not provided or required in the service as all children in attendance are aged 2 years and older.

(3)(a) The outdoor play area which was located to the rear of the premises was accessed directly from the care room. In close proximity to the rear door leading outside from the care room, a wooden outdoor room roofed with transparent corrugated sheeting was in place which was open on 1 side and provided shelter from the elements. The room contained a work bench and tools; a home corner with wooden kitchen and broad range of supportive play equipment; a shop area; an art station; construction toys, blocks and bricks; and a range of chairs, stools, benches and tables. Ceiling-mounted electric heaters were in place and used to heat this outdoor room when required. The adjoining outdoor play area was covered in grass and contained a large wooden climbing frame with swings and slide attached, a well-resourced wooden outdoor kitchen, mirrors attached to the fencing, wall-mounted guttering on brackets for pouring activities, wooden balance beams, a large lidded sand pit, ride on toys and a wooden playhouse. Children’s wellies were stored in the outdoor room for use when required.

### Part V - Care of Child in Pre-school Service

#### Regulation 22 – Food and drink

*A registered provider shall ensure that adequate and suitable, nutritious and varied food and drink is available for each pre-school child attending the pre-school service.*

#### Compliance Information

The registered provider stated that breakfast cereal, toast and milk is provided in the service to children who require breakfast, up until 8.30am.

The children bring their own snacks from home which were observed being eaten at 10.55am and which included sandwiches, wraps, crackers, rice cakes, cheese, fruit and yogurts.

At 12.15pm, children who are remaining in the service in a part-time capacity or on a full day care basis are facilitated to eat a second snack from home or a choice of foods provided by the service including crackers, beans, tinned spaghetti, toast, fruit and yogurts.

The small number of children who attend the service on a full day care basis (generally no more than 3 children) bring their own dinners from home, with spaghetti Bolognese and lasagne served at 2.00pm on the day of the inspection. The children who attend the afternoon sessional service also ate their snacks provided from home at this time.

Water was available on low level shelving for the children to take as required throughout the day and was provided on the tables for the children whilst they had their meals.

## 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 external and internal doors were appropriately secured to prevent the children from exiting unsupervised and to restrict unauthorised persons from gaining access to the early years service.
- The warm water temperature in the sanitary accommodation did not exceed the recommended maximum water temperature of 43°C. The inspector was informed that the water supply was thermostatically controlled; this reduced the risk of scalding for the children.
- Cleaning agents were stored safely out of the reach of children on high shelving and in locked cupboards.
- The registered provider's family home which adjoins the care room was inaccessible to children, with a push-button numerical lock in place on the door to restrict entry.
- The outdoor play areas were gated and secured with fencing to prevent a child gaining unsupervised access to a roadway or other source of danger.

##### Infection Control:

- Thermostatically controlled warm water, liquid soap and paper hand towels were provided to support hand hygiene in the sanitary accommodation. Hand sanitiser gel containing 70% alcohol was provided in the service to facilitate additional hand hygiene procedures to be undertaken.
- The children were facilitated to wash their hands before eating, after using the toilet, after nappy changing and following messy play and outdoor play.
- The premises, play equipment and materials were in a clean and hygienic condition.
- Up to date documented cleaning schedules were on display in the service.
- Staff members were observed segregating mouthed toys in a designated box after use; staff members stated that these were washed in warm soapy water or on a hot cycle at 70°C in the dish washer on a daily basis.

### Safe Sleep:

- Sleep mats were provided should a child wish to sleep in the service. The adults were able to describe safe sleep practices.

### Non-Compliance Information

#### Infection Control:

1. The pedal was broken on the bin in the care room and children were observed using their hands to open the bin on a number of occasions during the inspection. This posed a risk of cross-infection.
2. The child-sized blue couch in the care room was worn at a corner seam leaving foam exposed which was an infection control hazard as the couch could not be thoroughly cleaned.

### Action submitted by the Registered Provider

The registered provider stated the following corrective actions and preventive actions have been carried out:

#### Corrective Actions:

1. The pedal bin has been replaced.
2. Blue couch was repaired.

#### Preventive Action

1. Risk assessment to be done on weekly basis.
2. Risk assessment to be done on weekly basis.

#### Supporting documentation submitted

Photographic evidence was provided.

### Summary Comment

The evidence submitted has been reviewed and accepted. The non-compliances observed under Regulation 23 have been adequately addressed.

### Part VI – Safety

#### Regulation 25 - First aid

- (1) A registered provider shall ensure that a person trained in first aid for children is, at all times, immediately available to the children attending the pre-school service.*
- (2) A registered provider shall ensure that a suitably equipped first aid box for children-*
- (a) is safely stored in an easily accessible and conspicuous position on the premises, and*
  - (b) is available to the children attending the pre-school service at all times.*

#### Compliance Information

- (1) The registered provider ensured that a person trained in first aid for children was at all times immediately available to the children attending the service. The registered provider and 2 staff members held in-date First Aid Response (FAR) training.
- (2)(a) There was a suitably equipped first aid box in the service which was stored safely and in a conspicuous location on the premises.
- (b)The first aid box was readily available to the adults in the service.

## 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 was maintained of fire drills which had been completed in the service. Based on the records maintained and as reported by the adults present, fire drills were carried out monthly. The last recorded fire drill took place on 19/12/2022.
- (b) A record was kept of the number, type and maintenance of the fire fighting equipment and smoke alarms in the premises. The fire extinguishers were certified as having been serviced on 04/10/2022 and the smoke alarms on 10/01/2023.