

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015FL288
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Name of Service:	Sunshine Playschool
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Address of Service:	The Scouts Den, Brackenstown Road, Swords, Co. Dublin
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Eircode:	K67 K079
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Name of Registered Provider:	Michelle Fitzgerald
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Service type:	Full Day, Part Time, Sessional
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Date(s) of Inspection:	06/06/2024
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No of pre-school children:	<table border="1"> <tr> <td>AM</td> <td>5</td> <td>PM</td> <td>No.</td> </tr> </table>	AM	5	PM	No.
AM	5	PM	No.		

Address of the Early Years Inspectorate:	Early Years Inspectorate, 180-189 Lakeshore Drive Airside Business Park, Swords Co. Dublin.
Inspection undertaken by:	S. Cully
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
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Description of service

Sunshine Playschool is a privately owned service that currently provides an Autism Spectrum Disorder (ASD) specific service. The service does not participate in the ECCE scheme and receives funding from the Department of Education. The service is registered to provide full day care but currently runs a part time session Monday to Friday from 9.00am – 1.00pm for children between the ages 2 – 6 years. The service is also registered to provide care to school age children. Sunshine Playschool operates from a 2 storey scouts hall adjoining a community centre in Swords Co. Dublin. The Early Years service has exclusive use of the premises during the operational hours of the service. The main care room is located in the scout's hall on the ground floor. On the day of inspection, a room on the first floor was in use for one-to-one activities with children. The service has access to an enclosed outdoor area on the premises.

Staffing

The service manager and 4 additional adults were working with the children on the day of inspection. There is a member of staff employed to carry out housekeeping duties. The registered provider is not present in the premises on a daily basis and attends the service when necessary. The registered provider was present in the service after the inspector's arrival to the service.

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, premises and facilities. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9, 11, 15, 19, 23, 25, 26 and 28 however, on inspection additional non-compliance which posed a risk was identified under Regulation 29. These findings are outlined within the relevant regulations within this report.

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, 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

(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 manager was the designated person in charge of the service and there was a named person available to deputise when required.

(b) The service manager was present on the premises when the inspector arrived unannounced on the morning of the inspection. The registered provider was present soon after the inspector's arrival and returned to the service for the closing meeting.

On the day of inspection, the files for 6 members of staff and the registered provider were reviewed. Five staff members worked directly with the children, one of which held a qualification required for obtaining funding from the Department of Education. Two adults were present in a supernumerary capacity. One file was in relation to the staff member who carried out kitchen and housekeeping duties.

(2)(a)&(b) There were 13 written and validated references available in relation to the 6 members of staff and the registered provider.

(c) Garda vetting disclosures were available for the 6 members of staff and the registered provider. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d) International police vetting was not required the 7 adults according to the documentary evidence available on review of staff files including curriculum vitae.

(4) Two staff members who worked directly with the children in the service and the registered provider held a major award in Early Childhood Care and Education at Level 5 or higher on the National Framework of Qualifications or a qualification deemed by the Minister to be equivalent.

Non-Compliance Information

(2)(a) & (b) One staff member did not have a second written and validated reference on file.

(4) Two staff members who are not required to maintain the adult to child ratio but provide support and assistance to children with additional needs did not hold a qualification in Early Childhood Care and Education at Level 5 or higher or a qualification deemed by the Minister to be equivalent. One staff member held a qualification in Healthcare Support and 2nd staff member held a certificate for Special Needs training.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

(2)(a)&(b) Second written and validated reference obtained.

(4) As requirements to ratios have been met, extra staff outside of requirements have been taken on to support children during the daily routine. They are support staff to the qualified teachers and would not have responsibilities such as intimate care needs or direct contact such as 1 to 1 work. Their role is to support the teachers in the room and to observe and learn for further qualifications.

Preventive Action

(2) (a)&(b) All files will be complete before staff commence work, this will include 2 references and validation. This will form our recruitment process.

Supporting documentation submitted

Evidence of second reference

Summary Comment

The inspector reviewed the actions and evidence submitted. The non-compliance in relation to Regulation 9 (2)(a)&(b) has been adequately addressed.

The non-compliance under Regulation 9 (4) remains outstanding. However, the inspector acknowledges that the service receives funding to provide an ASD programme to the children in attendance with staffing requirements that differ to the requirements of Tusla Early Years Regulations.

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) There was a sufficient number of adults working directly with the children on the day of inspection.

(2) The adult to child ratios were correct in the service when the inspector arrived unannounced at the service at 10.00am and throughout the inspection.

On the morning of the inspection there were there were 5 children (4 of which were aged 4 year 8 months to 5 years and 6 months) being cared for by 5 members of staff.

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

(3) A record in writing referred to in paragraph (1) or (2) shall be open to inspection on the premises by-

- (a) a parent or guardian of a pre-school child but only in respect of the record relating to that child,
- (b) an employee who is authorised in that behalf by the registered provider, and
- (c) an authorised person.

Compliance Information

(1) The records for the 5 children in attendance was reviewed. One child's record contained the required information as outlined in Regulation 15 (1)(a) – (i). Four children's records contained the required information as outlined in Regulation 15 (1)(a) – (h).

(3)(c) The children's records were available and open for review by the inspector as authorised persons.

Non-Compliance Information

(1)(i) The records for 4 children did not contain the information required under Regulation 15 (1) (i) “*written parental consent for appropriate medical treatment of the child in the event of an emergency*”.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1)(i) The application form now includes consent for emergency medical treatment.

Preventive Action

(1)(i) This has been updated on the template and cannot be printed without. All parents returning in September will complete new form.

Supporting documentation submitted

Photographic evidence of updated form.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance in relation to Regulation 15 (1)(i) has been adequately addressed.

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

(1)(a) The following observations were made on how each child's learning, development and well-being was facilitated within the daily life in the service:

Basic needs:

- The inspector observed the staff members providing sensitive and responsive interactions and care to the children. The staff members supported transitions by explaining clearly to the children what was happening next in the routine and re-directed the children to another activity or area when needed.
- The children appeared to be comfortable and familiar with their caregivers. The children were responsive to the comfort and guidance they received from the adults and they were happy when engaging in play and activity with the adults present.
- The staff members sat with the children during snack time, supporting the children to open or eat their food when needed. Children who left the table were gently encouraged to return and eat more food or take a drink of water.
- The children's personal care needs were being met with care, such as the provision of bibs if needed, adding or removing layers of clothing, cleaning noses and faces and support with washing hands.
- The children spent time outdoors on the day of inspection.

Supporting relationships around children:

- The staff members demonstrated their knowledge and familiarity of the children and their needs. They discussed plans for activities or equipment that they knew the children would enjoy. The staff were observed to take resources from the office storage space that they knew children would be interested in. They also spoke about the children positively and provided the children with feedback and encouragement, either verbally or non-verbally.

- The service manager showed the inspector the children’s individual care plans and learning journals where staff kept information about each child’s interests and needs and the planned activities to support them. There were also photographs and observations about children’s recent learning experiences included in the journal.
- The staff shared information with families daily at collection times and through emails, messaging, and social media pages.

Physical and material environment:

- In the main care room the children had access to a reading/rest area consisting of a floor rug, cushions, soft seating and selection of books. There was a low wooden climbing frame in the hall along with other equipment for gross motor development such as balance boards, yoga balls and soft play mats. Close to the tables was a shelving unit with a selection of tabletop and construction activities. There were additional resources in the office available for rotation of resources or to initiate new activities.
- The children had access to sensory activities on the day. There was modelling dough available in the care room and sand play and bubbles available outdoors.
- While the service awaits access to the scouts hall garden, a temporary outdoor space is being used. This is the paved space at the service’s front door. The staff ensure the area is enclosed by closing the gate which leads to the car park. The staff brought a range of materials and equipment outdoors for the children including a sand pit, balls, rackets, bikes, mats, bubbles, and a box of toys for outdoor use.

Non-Compliance Information

(1)(a) There were no additional play materials available to accompany the wooden kitchen that was accessible to the children in the care room. This prevented the children from having opportunities to further develop their play skills and practical life skills.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

(1)(a) Equipment has been purchased including a new kitchen with equipment along with regular consumables for sensory and messy play.

Preventative Action

(1)(a) Equipment audits to review the level and quality of play materials along with a monthly budget for consumables.

Supporting documentation submitted

Photographic evidence of messy play activities in home corner

Proof of purchase of additional materials

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance in relation to Regulation 19 (1)(a) has been adequately addressed.

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:

- External doors of the preschool service were appropriately secured to prevent an unauthorised person from gaining access to the children and prevent children from exiting the premises unsupervised.
- A wall mounted ladder in the main care room identified as a safety hazard on previous inspections was secured with a fixed wooden panel fitted to the lower section of the ladder ensuring that it was inaccessible to the children.
- The kitchen was inaccessible to the children during the inspection.
- The warm water temperature in the sanitary accommodation located on the ground floor did not exceed the recommended maximum water temperature of 43o C on the day of inspection.
- Cleaning agents were stored out of the reach of children.
- A stair gate was fitted at the top of the stairs which was kept closed when not in use.

Infection Control:

- The main hall, sanitary facilities and the kitchen were in a clean and hygienic state.
- Staff wore disposable aprons and gloves while nappy changing or when required.
- The children were supported to wash their hands following toileting or nappy changing.

- Children's food and snacks which was provided by parents were stored appropriately in the refrigerator.

Administration of Medication:

- No children attending required a medical care plan. No medication was observed being administered on the day.

Fire Safety:

- The fire exits were clearly signposted and were unobstructed.

Non-Compliance Information

General Safety:

- The room on the first floor which was in use on the day of inspection contained equipment accessible to the children that was not suitable or safe. This equipment included wooden stumps, ropes, tent poles, tent pegs and a stack of adult chairs. This equipment increased the risk of an accident or injury to the children.

Infection Control:

- A commercial wheelie bin was accessible to the children in the outdoor area. A child was observed touching the wheelie bin and then had to be brought inside to wash their hands. Waste and waste storage should not be accessible to children and increases the risk of cross contamination and infection.
- There were 2 black indoor mats accessible to children in the outdoor area. These mats were under the commercial wheelie bin and were wet and soiled from being used outdoors. These mats were a source of cross contamination and infection.
- The hand paper towels and the toilet paper was not hygienically stored and dispensed. This increases the likelihood of cross contamination.

Action submitted by the Registered Provider

General Safety:

Corrective Action

- This room is no longer in use or being used.

Preventive Action

- A room offside the main hall that is used for 1 to 1 workspace away from the main area.

Infection Control:

Corrective Action

- The front area where the bin is stored is no longer in use for play. The garden area at the back is now accessible for children. The bin storage is also moved from the front area to the side and behind a gated non accessible area.

3. The mats are now disposed of.
4. The hand towel dispensers are now stocked and full.

Preventive Action

2. The Bin storage is also moved from the front area to the side and behind a gated non accessible area. This is to prevent any cross contamination at any point.
3. A picnic blanket is used outdoors for children.
4. There is a rolling contract for the hand towels to insure plentiful supply.

Supporting documentation submitted

General Safety:

1. Photographic evidence of new space in use for 1 to 1 work.

Infection Control:

- 2 & 3. Photographic evidence of bin moved to appropriate area and mats removed.
4. Proof of purchase of paper hand towels.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance under Regulation 23 has been adequately addressed. Implementation and sustainment of the corrective and preventative actions detailed will be reviewed at the next inspection.

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.

Compliance Information

(1) Following review of staff files and the staff roster, it was evident that the registered provider ensured that there was a member of staff trained in First Aid Response (FAR) on the premises at all times.

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 fire drills were carried out monthly. The last recorded fire drill took place on 17/05/2024.
- (4) Notices of the procedures to be followed in the event of a fire were conspicuously displayed in the premises.

Non-Compliance Information

- (3) The records maintained indicated that the firefighting equipment and smoke alarms in the premises had not been maintained by a registered contractor in the past 12 months as required. The firefighting equipment were last serviced March 2023 and the smoke alarm system was last serviced October 2022.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

- (3) Both the fire alarm and the extinguishers have been certified.

Preventative Action

- (3) A rolling contract is in place to insure they are kept up to date.

Supporting documentation submitted

Documentary evidence of both the smoke alarm system and fire extinguishers serviced by a certified contractor July 2024.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance in relation to Regulation 26 (3) has been adequately addressed.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

An insurance certificate was available to demonstrate the service was adequately insured. The service is currently insured to accommodate 22 sessional preschool children with an expiry date 27/03/2025.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-
(d) cleaned, maintained and repaired, as required, and

Non-Compliance Information

- (d)
- The room on the first floor which was being used on the day of inspection for one-to-one activities with children was not clean or well maintained.
 - Both windows in the room were unclean with stained glass and a build-up of cobwebs and dust on the window frames and on the window ledge.
 - There floor was unclean with dried grass in places which appeared to have come from the scouts camping equipment.
 - There was a cardboard box on the floor filled with paper and cardboard waste and a rolled-up tarpaulin along with particles of dust and dirt.
 - The space currently in use for outdoor play was not cleaned or well maintained.
 - There were tall weeds growing around the edges of the outdoor space, along the far wall and coming from under the fence adjacent to the main door of the service. There were nettles present among the weeds that could cause injury to children.
 - The wooden play kitchen accessible to children in the care room was not in a good state of repair or clean. The door to the kitchen's oven was broken and left lying on the toy kitchen shelf. The kitchen's surface was soiled with grime and residue.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

- (d)
1. The room in question is not being used to prevent any safety concerns. The Cleaners duties will include the area downstairs, arrival area, equipment and outdoor areas.
 2. The outdoor area to the front has been cleaned.
 3. A new kitchen and equipment have been purchased

Preventive Action

- 1 and 3. A new space is now in use for 1 to 1 work which will be cleaned as part of the cleaning schedule.
2. The outdoor area (grass garden) has now been cleared with accessibility to use.

Supporting documentation submitted

Photographic evidence of new 1 to 1 space on the ground floor

Photographic evidence of front area cleaned

Proof of purchase of new equipment

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance under Regulation 29 (d) has been adequately addressed. Implementation and sustainment of the corrective and preventative actions detailed will be reviewed at the next inspection.