

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015GY020
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Name of Service:	Ballinderry Childcare
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Address of Service:	Ballinderry, Kilconnell, Ballinasloe, Co. Galway
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Eircode:	H53 K650
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Name of Registered Provider:	Caroline Malone
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Service type:	Full Day
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Date of Inspection:	20/11/2024
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No of pre-school children:	AM	52	PM	37
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Address of the Early Years Inspectorate:	Early Years Inspectorate, Quality and Regulation Directorate, Child and Family Agency, Clinical & Administration Building, Block A (1st Floor- Green Corridor), Merlin Park, Galway.
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Inspection undertaken by:	F Kelly , S O Brien.
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Title:	Early Years Inspectors
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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

This private run service was established in 2007 and operates as a full day care early years' service for children aged from 0 to 6yrs. The service is also registered to cater for school aged children. The pre-school service operates from 8 am to 6.00pm, Monday to Friday.

Staffing

There was a total of 16 staff working in the service which included the registered provider and a cook .

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 and 19; however, on inspection additional non-compliance which posed a risk was identified under Regulation 9,16,23 and 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.

Additional Information

This inspection was triggered by information received by the Early Years Inspectorate.

Acknowledgments

The inspectors wish 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 service manager was the designated person in charge and there was a named person who was able to deputise as required.

(b) During the period of inspection, the registered provider was on the premises.

All staff files were reviewed on the day of inspection.

(2)(a) There were 22 written and appropriately validated references available from their most recent employer for the adults working in the service.

- (b) There was 10 written and appropriately validated reference available from a source other than the previous last employer for the adults working in the service.
- (c) Garda vetting disclosures had been obtained for 16 staff. However, the service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. Please refer to the information outlined under regulation 23 of this report.
- (d) Police Vetting disclosure were available for the 4 adults working in the service that had lived outside the jurisdiction for a period of over 6 months.
- (4) 14 adults working directly with children have obtained an award in Early Childhood Care and Education at least a level 5 on the National Qualifications Framework.

Non-Compliance Information

- (2) (d) Police Vetting disclosure was not available for the 1 adult working in the service that had lived outside the jurisdiction for a period of over 6 months. This was highlighted in the previous report dated the 27/04/2023.
- (4) There was 1 adult supervising the children on the day of the inspection that could not provide evidence that they had obtained an award in Early Childhood Care and Education at least a level 5 on the National Qualifications Framework.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (2)(d) The application process for the outstanding Police vetting has commenced. All staff will have required vetting prior to starting employment in the service.
- (4) The adult in question is contacting childcare course provider in relation to enrolling in an Early Childhood Care and Education level 5 childcare course

Supporting documentation submitted

No evidence submitted

Summary Comment

While it is acknowledged that the registered provider submitted a response to the findings of the non-compliances under regulation 9. (2) (4), these remain non-compliant as they have not been 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.

the age range of the children specified in column (2) therefore at that reference number is satisfied.

Compliance Information

(1) During the period of inspection there were adequate numbers of adults working with the pre-school children attending the service.

On the day of inspection, there were 52 pre-school children attending the service in the morning and 37 children attending in the afternoon

(2) At 10.30 am on the first day of inspection, the following care rooms were in operation.

Baby room there were 2 adults working with 6 infants aged between 11 months and 15 months.

Toddler room, there were 2 adults working with 8 children, aged less than 23 months

Wobbler room, there were 2 adults working with 7 children, aged between 16 months and 23 months.

Junior Pre-school room, there were 3 adult working with 9 children, aged between 2 years and 3 years.

Senior Pre-school room, there were 2 adults working with 22 children aged over 3 years of age.

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.

Non-Compliance Information

(1)(i)

The service had a roster in place, but this roster did not accurately record the break times for each person in attendance and if there was sufficient cover to cover all staff breaks and schools runs.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Details of the staff rosters are now included in the children's attendance book and a weekly roster is in place.

Summary Comment

The actions taken by the registered provider has address the non-compliances as outlined in Regulation 16(1)(I)

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

Basic Needs

- The service supplied the main meal of the day and the parents provided the snack for the children. The main meal of the day was mince stew and potatoes, the children ate their lunches and snacks in their playrooms. The staff member observed and stayed with the younger children and assisted the children when required.
- Children have their nappies changed when required and not just at dedicated times during the day.
- Staff allow children to sleep or rest when they are tired and not just as a dedicated time.
- The privacy and the dignity of the children was respected at all times during the nappy changing and toileting.
- Children had opportunities to move freely around the playroom, during the inspection, the children could decide what activity they wanted to engage in and could move freely around the playroom. The children had time outside throughout the inspection. All of the children including the on the non-walking children in the Baby room were brought outside during the inspection process.
- There were no behavioural management issues observed during the inspections, the staff present were observed to speak to the children in calm voices and interacted with the children in a positive manner.
- Hand washing after toileting, before mealtimes and after messy play was supervised and encouraged by staff. This was observed in the playrooms prior to snack times.

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.

Non-Compliance Information

General Safety:

1. Garda vetting was available for 5 named staff members. However, these vetting disclosures were not dated within the previous three years in adherence to with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'

Infection Control:

The following points may pose a risk of cross infection:

2. The 14 mattresses used in the service in the 3 separate sleep rooms were not easily cleaned between uses or were not covered in a waterproof covering.
 - 1 of these Mattresses in the Wobbler room had exposed foam and could not be cleaned or disinfected.
3. There was a ripped nappy changing mat in one of the nappy changing areas, but this was replaced on the day of inspection when it was brought to the attention of the registered provider.
4. The soft seating in the upstairs playroom was ripped and had exposed foam, which makes it difficult to clean.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. The 5 outstanding Garda vetting disclosures are now dated within the last 3 years and available for inspection on the premises.

Infection Control:

2. Waterproof mattress protectors are available for all the cot mattress in the sleep rooms and will be regularly checked to ensure they are suitable.
3. The nappy changing mats will be checked regularly to ensure they are free from all rips and tears.
4. The child sized sofas were replaced in the playrooms and will be checked regularly by staff member to ensure they are suitable.

Supporting documentation submitted

On the 14/01/2025, an email with a copy of the outstanding garda vetting disclosures and photographs of the new soft seating areas were submitted to the early years inspectorate

Summary Comment

The actions taken by the registered provider addressed the non-compliances as outlined in Regulation 23.

art VII - Premises and Space Requirements

Regulation 29 - Premises

*A registered provider shall ensure that the premises of the service are-
(e) equipped with adequate and suitable sanitary facilities.*

Non-Compliance Information

(e) On the day of inspection there were 29 children attending the service that required nappy changing. There were only 2 nappy changing stations available when 3 nappy changing stations were required.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

A new nappy changing station was located in the children’s sanitary area on the ground floor and will ensure they will an adequate number of nappy changing stations available to the children at all times.

Supporting documentation submitted

On the 14/01/2025, a photograph of the nappy station was submitted to the early years inspectorate

Summary Comment

The actions taken by the registered provider have addressed the non-compliances identified under regulation 29 .