

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015GY049		
Name of Service:	Burren View Creche & Montessori		
Address of Service:	76A Burren View, Ennis Road, Gort, Co. Galway		
Eircode:	H91 VK60		
Name of Registered Provider:	Linda Fallon		
Service type:	Full Day, Part Time, Sessional		
Date of Inspection:	11/07/2023		
No of pre-school children:	AM	16	PM 15
Address of the Early Years Inspectorate:	Early Years Inspectorate, Quality Assurance Directorate, Child and Family Agency, Clinical & Administration Building, Block A (1st Floor- Green Corridor), Merlin Park Hospital, Galway City.		
Inspection undertaken by:	S. Meehan and F. Kelly.		
Title:	Early Years Inspectors.		

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

The premises are in a private residential area, in the town of Gort in county Galway. A full day-care, part-time care service, an Early Childhood Care and Education (ECCE) pre-school care programme and sessional care programme is offered. The preschool caters for children aged between 0- 6 years, from Monday to Friday between 8 am and 6 pm. The service also offers a school aged programme.

The service has two playrooms namely the Montessori room and the Playgroup room, sleep room, there is also an office, sanitary accommodation and kitchen facilities for preparing food onsite. There are also two outdoor play areas to the rear and side of the building.

Staffing

The registered provider is also the designated person in charge and works on the premises daily. There is a designated deputy in charge. Two adults were working in the premises, hold at least a major award in Early Childhood Care and Education, at Level 5, on the National Qualifications Framework. An additional adult (Student) worked in the service kitchen preparing meals and in the playrooms on placement. There was also a student on an exchange programme on placement in the service. There were 2 adults assigned to work with school aged children.

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. The inspections may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9,10, 11, 16 and 19. 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

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

27/06/2023.

An Immediate action notice was issued on the 11/07/2023 under Regulation 9(2)(c), a mandatory garda vetting disclosure was not available for 1 member of staff who was present in the service contrary to the National Vetting Bureau (Children and Vulnerable Persons) Act 2012.

12/07/2023

A response was received from the registered provider, who stated that the staff member would be no longer working in the service.

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.

(7) A registered provider shall ensure that all employees, unpaid workers and contractors are appropriately supervised and provided with appropriate information, and where necessary training, including in relation to the following:

- (a) the policies, procedures and statements of the service specified in Schedule 5;
- (b) Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act, and
- (c) these Regulations.

Compliance Information

The files of 6 adults were reviewed which included 2 students:

- (1)(a) The registered provider was the designated person in charge of the service and a deputy person was also available.

- (1)(b) The registered provider who was the designated person in charge of the service and the deputy person were both on the premises during the inspection.
- (2) (a)(b) Ten validated references from past employers or a reputable were available on file.
 - (c) Garda vetting was available for 5 adults.
 - (d) Police vetting was available for one adult who had lived outside the state for a period exceeding six consecutive months
- (4) Two adults who worked directly with the children in the service held an appropriate qualification in Early Childhood Care and Education had a minimum of a level 5.

Non-Compliance Information

- (2) (a)(b) Two validated references from past employers or a reputable were not available on file for 1 adult
 - (c) Garda vetting was not available for 1 adult.
 - (d) Police vetting was not available for one adult who had lived outside the state for a period exceeding six consecutive months
- (4) One adult who worked directly with the children in the service did not hold an appropriate qualification in Early Childhood Care and Education to a minimum of a level 5.
- (7) There was evidence that a staff supervision policy was in place , however there was no written evidence that this policy was implemented. There was no written record that one to one supervision between staff and senior management had taken place.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider responded to say that:

Corrective and Preventive Action

- (2) (a)(b) All vetting procedures will be carried out prior to an adult working with children.
 - (c) The adult no longer works in the service.
 - (d) Police vetting will be sought in future prior to adults working directly with children.
- (4) The adult no longer works directly with preschool children and only works with school aged children.

Supporting documentation submitted

- (2) (a)(b) References was submitted to the inspectorate.
- (c) Roster was submitted.
- (d) A copy of the outstanding police vetting was submitted.
- (4) Copy of the roster was submitted.

Summary Comment

(2) (a), (b), (c), (d)

(4)

The Early Years Inspector has reviewed the evidence submitted and has deemed that it has met the requirements of this part of the 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.*

Compliance Information

- (2) On the morning of the inspection, at 10 am, there were 16 pre-school children present with 2 adults working directly with, caring, and supervising these children.
- In addition, there were 2 students on placement who were supervised when interacting with the children.
- 5 children were aged between 1 year and 2 years,
 - 4 children were aged between 2 and 3 years,
 - 7 children were aged between 3 and 5 years.

At 2 pm there were 15 pre-school children present, with 2 adults working directly with, caring, and supervising these children.

- 5 children were aged between 1 and 2 years,
- 4 child was aged between 2 and 3 years,
- 6 children were aged between 3 and 5 years.

Non-Compliance Information

(1) While it is acknowledged that there was a sufficient number of adults working directly with the children, it was observed that there was an inadequate number of adults available when staff required breaks. Evidence of staffing to cover breaks was not available, as the staff roster was not available for inspection, which must keep record of the following:

- Give details of the staff member on duty with First Aid Responder training.
- The adult: child ratio for each playroom in the service.
- Give details of each person not included in the adult : child ratio , e.g., students or auxiliary staff.
- Records the start time, break times and finish time of each person in attendance every day.
- Demonstrate that there is sufficient staff cover for breaks, kitchen duty and relief cover.
- Must be documented on a weekly or monthly basis.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider stated:

Corrective and Preventive Action

(1) A roster will be maintained and reviewed by the registered provider.

Supporting documentation submitted

(1) Copy of the roster was submitted to the early years inspectorate.

Summary Comment

The Early Years Inspector has reviewed the evidence submitted and has deemed it has met the Regulatory requirements of this part of the Regulations.

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:

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

Compliance Information

(k) Eight children’s accidents and incidents were reviewed since the start of 2023. Out of the 8 reviewed 8 were signed by the parent or guardian, which was in line with the service accident and incident policy.

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

(1) A registered provider shall, in providing a pre-school service, ensure that-

(b) appropriate and suitable care practices are in place in the pre-school service, having regard to the number of children attending the service and the nature of their needs.

Compliance Information

19(1)(a) and (b)

BASIC NEEDS:

- The healthy eating policy was available for parents and guardians to view the snacks and meals were appropriate and the foods observed on the day of inspection.
- The snacks were supplied by the parents were healthy and nutritious and consisted of sandwiches, crackers, cheese, fresh fruit pieces, yogurts with milk or water available to children when needed. The main hot meal of the day was bacon with vegetable.

- Crockery and plates were offered and used during children's snack times, lunch and were appropriate for the age and stage of development of the children.
- The children self-care was assisted and encouraged by adults for e.g., to wash their hands prior to eating, after toileting, after using a tissue, after messy play and outdoor play.
- Children over 2 years of age had access to an area to relax or rest during the inspection. There was a designated sleep room for children under 2 years of age.
- There was an outdoor play area was to the side of the premises and was sufficiently spacious to accommodate the numbers of children attending the service.
- The play equipment and materials provided in the outdoor area supported a range of physically energetic activities and play experiences.

Non-Compliance Information

BASIC NEEDS:

- The dignity of the child was not respected at nappy changing and toileting.
 - It was observed that 3 children were brought to be nappy changed at the same time by an adult.
 - The door into the children sanitary area was left open and children could be viewed using the sanitary area.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider responded to say that:

Corrective and Preventive Action

- The service will ensure that the dignity of each child will be respected at nappy changing and toileting.

Supporting documentation submitted

No evidence submitted.

Summary Comment

The Early Years accepts the response submitted and has deemed it has met the requirements of this part of the Regulations.