

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015GY087
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Name of Service:	Fairyhouse Creche & Daycare Centre
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Address of Service:	Moyvilla, Clarinbridge, Co. Galway
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Eircode:	H91 YE63
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Name of Registered Provider:	Mary O'Neill
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Service type:	Full Day
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Date of Inspection:	13/09/2024
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No of pre-school children:	AM	69	PM	69
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Address of the Early Years Inspectorate:	TUSLA - Child and Family Agency, Early Years Inspectorate, Quality Assurance Directorate, Clinical & Administration Building, Block A - (1st Floor- Green Corridor), Merlin Park, Galway.
Inspection undertaken by:	F Kelly and M Farrell
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	N/A
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Description of service

Fairyhouse Creche & Daycare Centre is a privately owned and operated rural service near Clarinbridge in Co Galway providing full day care, parttime and sessional services. The service is registered to provide services to children aged from 0 to 6 years between 07:15-18:00 hours. There are seven playrooms in the service used by the preschool children. Three of the playrooms used by the younger children in the service are located on the ground floor of the main building in addition to a sleep room and the kitchen. Two playrooms known as the Playschool and Junior Playschool playrooms are located upstairs on the first floor of the main building as is the office. The Montessori and Senior Nursery playrooms are in prefabricated units in the outdoor play areas to the rear of the building. The service also provides registered school age services.

Staffing

There were 20 staff working in the service at the time of inspection including the registered provider, childcare staff, cook and ancillary staff.

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/ safety. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under sections of regulations 9, 11, 22, 25 and 26. 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

Conditions were applied to the registration of the service on 22 May 2024 for a period of 4 months under Part III, Article (9) Child Care Act 1991 Early Years Regulations 2016 Child Care Act 1991 Early Years Regulations 2016.

- The registered provider must not employ any staff to work directly with pre-school children without first ensuring the person has the prescribed qualification of 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.
- The registered provider must ensure that all staff currently employed and who are working directly with the pre-school children have the prescribed qualification of 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.

Following inspection on the 13th September 2024 and non-compliance addressed under Regulation 9 (4) the above condition was removed.

Acknowledgments

The inspectors wish 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) There was a designated person in charge and a named person available to deputise in the service.

- (b) On the inspectors' arrival to the service, the deputy person in charge was present. The registered provider who was the designated person in charge arrived at the service a short time later and was present for the remainder of the inspection. Discussion with staff and a sample roster reviewed found that the designated person in charge or the deputy were available on the premises when the pre-school children were present.

(2) Following review of staff rosters and discussion with staff, the registered provider confirmed with the inspectors that there were 20 staff members working in the service. The vetting documentation for 17 of these staff members had been reviewed on previous inspection and had been found to meet the requirements of this section of the regulation. The registered provider confirmed that there were 3 new staff members since last inspection of 9 and 12 February 2024. The following vetting documents were available for these three staff members:

- (a) There were two written validated references from past employers on file for two staff members. One written reference from a past employer that had been validated by the registered provider was available for a third adult.
- (c) Garda vetting disclosures had been obtained for all 20 staff including the 3 new staff members. The service demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting for staff members every three years.

- (4) Evidence of the required qualification in Early Childhood Care and Education was available on file for two of the staff new to the service since the last inspection who worked directly with the children.

On the most recent inspection of the 9 and 12 February 2024, evidence was unavailable to show that three staff members held:

- A minimum award in Quality and Qualifications Ireland (QQI) at a Level 5 on the National Framework of Qualifications, in Early Childhood Care and Education or a qualification deemed by the Minister to be equivalent.
- An exemption from the qualification requirement and confirmation that the Minister accepts this exemption.
- The qualification requirement or relevant specialist training and the basis on which the capitation may be used for a person employed under the Access and Inclusion Model (AIM), detailed in an exemption letter from Pobal.

The registered provider confirmed to the inspectors that two of these staff members had left the service since the inspection of the 9 and 12 February 2024. The registered provider informed the inspectors that the third staff member had completed their studies and was awaiting final confirmation of their award. This staff member was working directly with the children during the inspection.

Non-Compliance Information

The following vetting and qualification documentation was unavailable on file:

- (2) (a) A second written validated reference from a past employer was unavailable on file for one staff member.
- (d) International police vetting was unavailable for one period of time for a staff member who had lived abroad in two other jurisdictions. It is acknowledged that the required international police vetting had been obtained by the service for the second time period for the staff member.

- (4) One staff member new to the service since the inspection of the 9 and 12 of February 2024 did not provide evidence on the day that they had the obtained the following:
- A minimum award in Quality and Qualifications Ireland (QQI) at a Level 5 on the National Framework of Qualifications, in Early Childhood Care and Education or a qualification deemed by the Minister to be equivalent.
 - An exemption from the qualification requirement and confirmation that the Minister accepts this exemption.
 - The qualification requirement or relevant specialist training and the basis on which the capitation may be used for a person employed under the Access and Inclusion Model (AIM), detailed in an exemption letter from Pobal.

This staff member was observed by the inspectors to work directly with preschool children during the inspection.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider advised in a written response that:

Corrective and Preventive Action

(2)(a) and (d)

The staff member has left the service.

All staff must have two validated references verified before commencing employment.

- (4) The staff member has left the service. All staff members are to hold the required qualification or exemption letter.

Supporting documentation submitted

Email confirmation of staff members who had left the service.

Summary Comment

The non-compliance found on inspection 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) The registered provider ensured that an adequate number of staff were always working directly with the children during the inspection. On the inspectors' unannounced arrival to the service at 9.52am there were 12 adults working directly with 63 children. An additional six children arrived at the service during the inspection bringing the maximum total to 69 children. The deputy person in charge provided direct care to children in one of the playrooms.
- (2) The minimum adult to child ratios were adhered to during the unannounced inspection in accordance with the required ratios considering the ages of the children and the length of time each child spent in the service as outlined below:
- Montessori playroom: 3 staff cared directly for 19 children aged over three years of age.
- Junior Playschool playroom: 2 staff cared directly for 10 children aged from two to three years of age.
- Senior Nursery Playroom: Two staff cared for two children aged one year and seven children aged two years of age.
- Playschool Playroom: 2 staff cared directly for 20 children aged over 3 years of age.
- Junior Nursery 2 playroom: One staff member cared directly for five children aged one year of age.
- Nursery Playroom: The children from the Babies and Nursery 1 playrooms were cared for together on the day of the inspection. There were two staff members caring directly for two children aged under one year and four children aged over one year of age during the inspection.
- (8)(a) There were more than two adults always present in the service during the unannounced inspection.

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 service had a healthy eating policy in place. During the inspection children were observed to eat mid-morning snacks provided from home that including prepared fruit, yoghurt, crackers, cheese and sandwiches. The service had a six-week menu in place that was displayed in the downstairs hallway to inform parents. On the day of the inspection a main warm meal of spaghetti bolognese was provided for the children.

It was noted on the day that powdered infant formula was managed in an appropriately in the service and in accordance with the Food Safety Authority of Ireland’s Guidance Note, no 22. The registered provider confirmed that the all baby bottles were made at home and transported to the service each day.

The staff in the Senior Nursery playroom were observed to begin an activity making banana buns with the children during the 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.

(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) There were First Aid Response (FAR) training certificates with expiry dates of 12 September 2025 and 15 February 2026 available for two staff working in the service.
- (2) (a) Suitably equipped first aid box were stored in easily identifiable locations out of reach of the children in the playrooms. The playrooms on the ground floor of the main building shared a first aid kit/box. On each first aid kit/box there was a checklist showing that contents were checked /updated on a monthly basis. Additional first aid supplies were available in the office if needed.

(b) The first aid equipment was readily available if a child required first aid treatment 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*
- (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) Written records of the fire drills undertaken in the service were kept by staff with the last fire drill recorded as having been undertaken on the 31 August 2024.
- (b) A certificate of the number, type and maintenance of the firefighting equipment dated for March 2024 was available for inspection. The smoke alarms had been certified as last maintained on the 3 January 2024.
- (2) (c) The records were made readily available in the service to the inspectors by the registered provider on request.
- (4) Notices of the procedures to be followed in the event of a fire were conspicuously displayed in the playrooms.