

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015GY097
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Name of Service:	Fundamental Childcare
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Address of Service:	Lios Na Si, Bridge Road, Portumna, Co. Galway
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Eircode:	H53 R6H0
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Name of Registered Provider:	Marie Murray
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Service type:	Full Day
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Date of Inspection:	10/07/2024
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No of pre-school children:	AM	40	PM	34
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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.
Inspection undertaken by:	F Kelly
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

This service opened in Sept 2007 and operates a full day care early years' service for children aged from 3 months to 12 years. A service for also registered for school aged children . The service operates from 7.30 am to 6 pm, Monday to Friday and can cater for a maximum of 56 children. The service is located in a residential area in the town of Portumna in Co. Galway. There were 5 playrooms, a designated sleep room and a kitchen area. There was an outdoor play area located to the side and rear of the premises.

Staffing

There are 14 staff working in the service which included the registered provider and 1 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 area 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 regulations 9,11,19 and 23 and 30. however, on inspection additional non-compliance which posed a risk was identified under Regulation 23. 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

1. An immediate action notice was issued on the day in relation to elevated room temperature. The registered provider issued a response on the 11/07/2024.
2. An immediate Action notice was issued and on the 15/07/2024 the registered provider submitted a copy of the outstanding Garda vetting disclosure to Early Years Inspectorate.

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 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 and the deputy manager were on the premises.

All staff files were reviewed on the day of inspection.

(2)(a) There were 27 written and appropriately validated references available from their most recent employer for the adults working in the service.

(b) There was 1 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 13 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 was available for the 1 adult working in the service that had lived outside the jurisdiction for a period of over 6 months.

(4) All 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)(c) Garda vetting disclosure was not available for 1 staff member.

It was acknowledged on the day that an application for same had been sent to the Garda Vetting unit.

An immediate Action notice was issued and on the 15/07/2024 the registered provider submitted a copy of the outstanding Garda vetting disclosure to Early Years Inspectorate.

Corrective & Preventive Action submitted by the Registered Provider

The Registered provider stated the following in their reply:

Corrective and Preventive Action

The Garda vetting disclosure was submitted to the Early years inspectorate and going forward staff will only commence employment when the Garda vetting is received .

Supporting documentation submitted

A copy of the outstanding Garda vetting was submitted on the 15/07/2024.

Summary Comment

The actions and evidence submitted were reviewed. The non compliance identified under regulation 9(2)(c) 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 period of inspection there were adequate numbers of adults working with the pre-school children attending the service.
- At 10.30 am on the day of inspection, the following child care rooms were in operation.
- (2) Baby Room ,there were 3 adults caring for 8 children
- Wobbler room, there was 1 adult working with 8 children.
- Junior ECCE playroom, there was 1 adult working with 9 children.
- Senior ECCE 1 room, there was 1 adult working with 8 children.
- Senior ECCE 2 room, there were 2 adults working with 7 children.
- (8) On review of the staff roster, the registered provider ensured that there were two adults on the premises at all times.

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

- 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 sausage casserole, 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're 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 dedicated time in the outdoor play area and all of the children with exception on the non-walking children in the Baby room had use of the outdoor area ,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 4 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'
2. The temperature of the sleep room was not maintained at temperatures between 16° C and 20°C. At 2.30pm while the sleep room was in use ,the room temperature was recorded at 24 °C. The room temperature was not recorded at the 10-minute sleep checks. The temperature of the sleep room was only recorded in the morning and in the evening. This posed a risk to the safety of sleeping children. An immediate action notice was issued on the day in relation to elevated room temperature. The registered provided issued a response on the 11/07/2024.
3. Food safety provision was not provided for children's formula or milk bottles. Three baby bottles were stored in their individual baskets on the counter and not in a fridge as recommended. This posed a safety risk to the children.
4. The Powered infant formula bottles were re heated in a microwave oven and may pose a safety risk. Milk bottle should be heated in a bottle warmer or basin of water.

Infection Control:

- The nappy bins that were present in the nappy changing area were not suitable ,as they were not air tight and therefore posed a risk of cross infection.

It is acknowledged that the registered provider ordered 2 suitable nappy disposal bins on the day of inspection.

Action submitted by the Registered Provider

The registered provider stated the following in their reply:

Corrective & Preventive Action

General Safety:

- Garda vetting disclosures for 4 staff were renewed and forwarded to the Early years Inspectorate. The renewal dates for all garda vetting will be monitored by management .
- The temperature of the sleep room is now maintained within the recommended temperature and are monitored on an on-going basis by staff members.
- 3.4 Baby milk bottles are now stored in a fridge and are now reheated in a bottle warmer; this practice will be monitored by management.

Infection Control:

- Air tight, foot pedalled nappy disposal bins were in place on the 11/07/2024.

Supporting documentation submitted

The outstanding garda vetting disclosures , receipts were submitted to the early year's inspectorate.

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Summary Comment

An immediate action notice was issued on the day in relation to elevated room temperature. The registered provided issued a response on the 11/07/2024.

The action and the evidence submitted to the Early Years inspectorate were reviewed. The non compliances identified under regulation 23, have been adequately addressed.

Part VII - Premises and Space Requirements

Regulation 30 - Minimum space requirements

(1) Subject to paragraphs (2) to (6), a registered provider shall ensure that adequate clear floor space is available in the premises for the work, play and movement of children attending the pre-school service.

Compliance Information

(1) The service had relevant space to accommodate the needs of the children attending the service. The Wobbler room (the room at the rear the building with direct access to the outdoor play area) had 19 m² of clear floor space.

This playroom on the previous inspection was used as sleep room.