

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015GY110				
<b>Name of Service:</b>	Ionad Tacaíochta Teaghlaigh Teo				
<b>Address of Service:</b>	Ionad Tacaíochta Teaghlaigh Teo, An Cnoc, Indreabhan, Co. Galway				
<b>Eircode:</b>	H91 K6NE				
<b>Name of Registered Provider:</b>	Seamus O'Fatharta				
<b>Service type:</b>	Full Day				
<b>Date of Inspection:</b>	02/11/2023				
<b>No of pre-school children:</b>	<table border="1"> <tr> <td>AM</td> <td>29</td> <td>PM</td> <td>29</td> </tr> </table>	AM	29	PM	29
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<b>Address of the Early Years Inspectorate:</b>	Tusla – Child and Family Agency, Early Years Inspectorate, Quality and Regulations Directorate, Clinical & Administration Building, Block A - (1st Floor- Green Corridor), Merlin Park, Galway.				
<b>Inspection undertaken by:</b>	S. Meehan and F. Kelly				
<b>Title:</b>	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).

<b>Conditions if applicable</b>	Not applicable
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### Description of service

This community owned crèche and pre-school was established in 2009 and is in Indreabhan, in west county Galway. The service promotes the Irish language and culture. The service offers full day care and part time service from 7 am to 6.15 pm and an Early Childhood Care and Education (ECCE) pre-school care programme and a sessional care programme from 9 am to 12 pm. The service caters for children aged between 0 months and 6 years of age, from Monday to Friday. The service had 6 playrooms and on the day of inspection only 4 playrooms were operating namely the Seomra 1, Seomra 2 and Seomra 3 and Seomra 5.

On the morning and afternoon of the inspection there were 29 preschool children on the premises.

There is a designated sleep room off the Seomra 1 with 5 cots. Stackable beds are available for older children to sleep during the day. The service has a designated kitchen where snacks and meals are prepared, cooked and stored. There were 3 designated outdoor play areas for children to play.

### Staffing

There was a total of 11 adults working in the service on the day of inspection which did not include the registered provider. The manager was the person in charge and there was deputy manager available to deputise when required. 3 adults were designated to the care of school-aged children. There was a student on placement and a chef who prepares the meals on site.

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

The inspection focused on an examination of compliance under regulations 9, 11, 19, 25, 26 and 28; however, on inspection additional non-compliance which posed a risk was identified under Regulation 8 and 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

03/11/2023

An Immediate Action Notice was issued under Regulation 9(2)(c), a mandatory vetting disclosure was not available for two adults working in the service contrary to the National Vetting Bureau (Children and Vulnerable Persons) Act 2012.

03/11/2023

The service manager responded to say that the 2 adults without vetting disclosures would not be rostered to work directly with children until vetting is received and a copy of these vetting disclosures will be forwarded to the office of the Early Years Inspectorate when the service receives them.

03/11/2023

A referral was made to Galway Fire Department in relation to a new playroom which was opened on the first floor and an outdoor play area located on a flat roof off the playroom on the first floor to assess.

### Acknowledgments

The inspectors wish to acknowledge the cooperation of the 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 person in charge and there was a named person available to deputise in the service.

(b) The person in charge was on the premises when the early years inspectors arrived and remained on site for the duration of the inspection.

Documentary evidence indicated that either the designated person in charge or deputy were available on the premises when the pre-school children were present.

18 adult files were reviewed including registered provider, service manager and student on placement.

(2)(a)&(b) 29 of the validated references on file in respect of adults were from a past employer or a source other than a past employer.

(c) Garda vetting disclosures were available in respect of the 16 adults.

(d) Not applicable as no adults working in the service had lived outside the jurisdiction for longer than 6 consecutive months while over the age of 18 years and therefore required police vetting.

(4) 10 adults had evidence of a childcare qualification to at least a major award in Early Childhood Care and Education at a Level 5 on the National Qualifications Framework or a qualification deemed by the Minister to be equivalent.

## Non-Compliance Information

- (2)(a)&(b) There were 3 adults that did not have 2 written and appropriately validated references available from their most recent employer or from a source other than an employer on file.
- There was 1 adult that did not have a second validated reference on file from their most recent employer or from a source other than an employer on file.
- (c) There were 2 adults working in the service that did not have garda vetting disclosure on file.
- On the 03/11/2023, an immediate action notice was issued to the service by Early Years Inspectorate for the 2 adults without garda vetting contrary to the National Vetting Bureau (Children and Vulnerable Persons) Act 2012.
- (4) There were 4 adults working directly with children that could not provide evidence on the day that they had obtained an award in Early Childhood Care and Education at level 5 on the National Qualifications Framework.

## Corrective & Preventive Action submitted by the Registered Provider

The registered provider stated in their response on the 27/11/23:

### Corrective and Preventive Action

- (2) (a) & (b) The outstanding seven references has been submitted to the Early Years office for four adults. The service will ensure that each staff member has two references prior to being employed in the service.
- (c) The 2 outstanding Garda vetting disclosures for 2 adults was submitted to the Early Years Inspectorate. We will ensure in future that all vetting procedures are carried out prior to employment.
- (4) Certificates have been submitted for 3 adults at a level 5 in Early Childhood Care and Education and the fourth adult will only work in school aged in future. We will ensure going forward that only qualified staff will work directly with children.

### Supporting documentation submitted

- (2) (a) & (b) Documented evidence was submitted to the Early Years Inspectorate, seven references in total.
- (c) A copy of the 2 outstanding Garda vetting was submitted to the Early Years Inspectorate.
- (4) Certificates have been submitted for 3 adults at a level 5 in Early Childhood Care and Education.

### Summary Comment

(2) (a) & (b) On review of the documentation submitted the outstanding 7 validated references were submitted and has been deemed to have met the requirements.

On the 3<sup>rd</sup> of November the service manager responded to say that the 2 adults without Garda vetting disclosures would not be rostered to work directly with children until vetting was received and a copy of these vetting disclosures will be forwarded to the office of the early years Inspectorate when the service receives them.

(c) The non-compliance has been addressed and the outstanding Garda vetting for 2 staff has been submitted therefore the regulatory requirement of this part of the Regulations has been met.

(4) On review of the documents submitted and the registered providers response the service has now met the requirement of this part of the Regulations.

### Part II - Registration and Register

#### Regulation 8 - Notification of change in circumstances

*(1) A registered provider of a pre-school service other than a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 60 days before it is proposed that the change would take effect.*

#### Non-Compliance Information

(1) The registered provider failed to notify and give 60 days' notice to the Early Years Inspectorate of a change in circumstances prior to opening this extra playroom. Since September 2022, the service added an extra sessional playroom from 9am to 12 pm on the first floor of the building without notifying the agency.

#### Corrective & Preventive Action submitted by the Registered Provider

The registered provider stated in their response on the 27/11/23:

#### **Corrective and Preventive Action**

We have engaged with the National Registration office to register the new playroom upstairs and in future we will give the National Registration office 60 days notice prior to any changes.

## Supporting documentation submitted

Submitted evidence of an email that they have contacted the Registration Office.

## Summary Comment

On review of the evidence submitted that it has been deemed by the Early Years Inspectors that they have met the requirements.

## 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 preschool attendance records and roster were reviewed and indicated that an adequate number of staff were working directly with the children. On the day of inspection, the adult and child ratio were correct and maintained.

(2) The minimum ratio of adults to children was adhered to, during the inspection.

On the morning and afternoon of the inspection, 29 preschools children being directly cared for by 10 staff members and 1 student that was in work placement.

- 3 children were aged between 6 months and 1 year,
- 8 children were aged 1 to 2 years,
- 9 children were aged 2 to 3 years,
- 9 children were aged 3 to 4 years of age.

(8)(a) The registered provider ensured that 2 staff were on the premises during the operating hours of the service.

### 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(a) and (b)

##### BASIC NEEDS

- A healthy eating policy was in place and a menu plan was available, on display on the day of inspection.
  - In the morning a breakfast of a selection of cereals, porridge and toast was offered to all children attending.
  - At 10 am children were offered crackers, cheese, fresh fruit pieces and yogurts with milk or water.
  - The main hot meal of the day was served at 12 pm was Irish stew with mashed potatoes to preschool children.
  - Water was readily available for pre-school children to help themselves. The children had access to water area in each of the playrooms.
- Children's dietary requirements were respected and documented in the children's files and in the service kitchen by the chef.

- Perishable items from children’s snacks were stored in the service fridge who were attending on a sessional basis.
- Age-appropriate crockery were offered to the children for their snack and mealtimes.
- Children who were in the process of being toilet trained were encouraged to be independent at toileting and were supervised by adults.
- Children who were in nappies and had their nappies changed on a regular basis respecting the dignity of each child.
- The adults were observed to supervise children’s hand washing before snack times and dinner, following nappy changing and toileting and after outdoor play.
- In the designated sleep room, which were adjacent to Seomra 1, was available for children under 2 years of age. The preschool children were observed to physically check a sleeping child’s colour, position and breathing every 10 minutes and the temperature of sleep room.
- There were stackable beds available for children over 2 years of age which were in use on the day of inspection.
- Children’s behaviour was consistently managed in a competent, sensitive and positive manner by adults throughout the service.

### Physical Environment

#### Outdoor Areas:

- **Area 1:** There was a combination of grass, brick and an impact absorbing surface with patterns and shapes. The area was surrounded by high fencing.  
Items included ride on toys, voice phones, a bridge, 3 round balls, push and pull toys, a basket swing, balls, a house, rockers, mushroom seating, an activity centre, a wooden house, wooden seating with cubbies for sand.
- **Area 2:** The area was covered with an impact absorbing surface.  
There was a house, large multiple see saw, a mud kitchen, flower mounted blackboards, cones, hula hoops, rackets, and an obstacle course.
- **Area 3:** The area was covered by grass and surrounded by fencing and a gate. There was an anchored goal post.
- There was also a greenhouse that is used for planting.

### Non-Compliance Information

19(a) and (b)

#### Physical Environment

1. Soft seating in the form of child size soft seating in designated cosy areas in the playrooms was not provided for children to relax and rest.
2. An appropriate adult comfort chair was not provided in Seomra 1 and 2 to comfort, feed or nurture a child.
3. The playrooms were not divided into special interest areas with toys and materials organised in a way to support children's play and learning.
  - Play equipment was sparse in the playrooms for example there was limited dress up with a mirror and there was limited sensory equipment in the playrooms.
  - The service is close to the sea with no representation of the sea by means of small world toys or nature tables.
  - The service staff had no visual signage for children in any of the play areas to assist them with transitions from one activity to the next.

### Corrective & Preventive Action submitted by the Registered Provider

The registered provider stated in their response on the 27/11/23:

#### Corrective and Preventive Action

##### Physical Environment

- 1 & 2 Soft seating and comfort chairs have been purchased and in future we will ensure that children have areas to relax and rest.
- 3 The service is engaging with an external agency to support us with playroom layout and then we will purchase appropriate toys and equipment as required.

#### Supporting documentation submitted

- 1 & 2 A receipt was submitted of the purchase of seating to the Early Years Inspectorate.
- 3 A copy of the referral to the external quality agency was submitted.

### Summary Comment

1, 2, & 3.

The Early Years Inspectors have reviewed the response and evidence and it has been deemed to have met the requirements.

## 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. In the designated sleep room the monitor and temperature leads were not secured and were in close proximity of the cots that children were sleeping in and may pose as a choking hazard for preschool children.

##### Infection Control:

2. A leak proof self-sealing, airtight pedal bins were not provided in the nappy changing areas and may pose as a risk of cross infection for a preschool child.

#### Action submitted by the Registered Provider

The registered provider stated in their response on the 27/11/23:

##### Corrective & Preventive Action

##### General Safety:

1. The cables have been secured and covered to ensure the safety of children and this will be monitored in future.

##### Infection Control:

2. Three leak-proof self-sealing pedal bins have been purchased for the nappy changing areas and in future we will ensure they are available.

##### Supporting documentation submitted

##### General Safety:

1. No evidence submitted.

##### Infection Control:

2. A copy of the receipt for 3 nappy changing bins were submitted to the Early Years Inspectorate.

#### Summary Comment

1 & 2 On review of the registered providers response and documentation submitted it has been deemed to have met the requirements.

## 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) The service did provide evidence that there were 8 adults trained in first aid responder for children was available at all times to the children attending the pre-school service.

(2)(a) The first aid box was accessible and in a conspicuous position in the office.

(b) The first aid box was fully equipped and available to the children attending the pre-school 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.*

*(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 in writing of fire drills was documented and the last fire drill took place on the 10<sup>th</sup> of October 2023.

(b) A record of the number, type and maintenance record of fire-fighting equipment was maintained. It was recorded that firefighting equipment was checked on the 10<sup>th</sup> of November 2023 and the smoke detection system was serviced on the 10<sup>th</sup> of November 2023.

(4) The fire evacuation procedure in the event of a fire was displayed in the lobby of the service.

### Part VI - Safety

#### Regulation 28 - Insurance

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

#### Compliance Information

The service had adequate insurance for up to 100 full day care children valid to the 27/03/2024.