

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015GY123
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Name of Service:	Kinvara Community Children's Centre
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Address of Service:	Kinvara Community Children's Centre, Glebe Road, Kinvara, Co. Galway.
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Eircode:	H91 YO97
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Name of Registered Provider:	Ian Walsh
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	23/01/2025
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No of pre-school children:	AM	72	PM	49
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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 and F Duffy.
Title:	Early Years Inspector and Inspection Registration Manager

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 purpose-built community childcare service was opened in 2008. The service is located in the village of Kinvara, Co Galway. It comprises of six playrooms and an outdoor play area to the side and front of the building. It offers a full day care, part time and sessional childcare service programme from 8:00 am to 6:00pm Monday to Friday. The service caters for children aged from birth to five years of age. The service also caters for school aged children.

Staffing

There are a total of 26 staff employed in the service, which include the service manager. There were 16 staff members in attendance on the day of inspection. The registered provider did not work in the service.

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 and 24 however, on inspection additional non-compliance 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.

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 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) There was a change in the name of the registered provider and the registered provider did not notify Tusla of this change. It is acknowledged that the change of circumstance application has been made to the Early Years Registration office.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider stated the following in their reply:

Corrective and Preventive Action

The application to amend the name of the register provider was submitted to the Early Years registration office. To ensure this non-compliance does not reoccur, there will be a bi-annual review of all documentation.

Supporting documentation submitted

An email dated the 10/03/2025 was submitted to clarify that the proposed change of circumstances had been approved.

Summary Comment

The inspector has reviewed the action and the evidence submitted. The non-compliance identified under Regulation 8 has been adequately addressed.

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 assistant manager was on the premises and at 1:00 pm the service manager arrived at the service and facilitated the inspection.

Following a review of the service files and discussion with the service manager it was confirmed that there was one new staff member employed in the service since the last inspection. It was noted on the day that there were two students on placement and a newly appointed registered provider. These files were reviewed on the day of inspection.

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

- (b) There were three written and appropriately validated references 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 27 staff and students. 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 disclosures were available for the six adults working in the service that had lived outside the jurisdiction for a period of over six months.
- (4) All adults working directly with children have obtained an award in Early Childhood Care and Education from a Level 5 to a Level 8 on the National Qualifications Framework.

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. On the day, there were 72 pre-school children, attending the service in the morning and 49 pre-school children attending the service in the afternoon.
- At 10.30 am on the day of inspection, the following care rooms were in operation.
- (2) Toddler room (1 year to 2 years) there were 2 adults and 1 student on work placement caring for 9 children.
- Senior room (2 to 3 years), there were 2 adults and 1 student on work placement caring for 13 children.

Playschool room (over 2yrs 8 months), there were 4 adults caring for 15 children.

Educare 1 room (ECCE), there were 3 adults caring for 17 children.

Educare 2 room (ECCE), there were 3 adults caring for 18 children.

- (8) The staff roster of the service indicated that there were two adults on the premises at all times during the operational 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.

Compliance Information

- Children's drinks were available to the children throughout the day, the drinks were located on a low-level shelf in the playrooms. Older children had access to their drinks throughout the session without having to ask staff members to assist them.
- Children washed their hands before snack time and after outdoor play.
- Children had access to the outdoor space on a daily basis and the children were observed happily playing in the outdoor space on the day of inspection. Each group of children had allocated time in the various areas throughout the day. The children appeared happy and content exploring the different areas of the space, this was evident from the laughter while playing and running around the area.
- The children's sanitary areas were conveniently located adjacent to the playrooms. The staff were heard giving children little prompts when they picked up cues from the children that they may need to use the toilet.
- There were a range of soft seating which consisted of low-level child sized sofas and cushions. They were available in all of the playrooms, for the children to sit and relax. Stackable beds were used for children aged over two years of age, to sleep and relax. On the day of inspection, eight stackable beds were put down in the senior playroom and the staff sat with the children while the slept. Any child not requiring

sleep or that woke before the rest of the children had the opportunity to play in another playroom or play in the outdoors area.

- Staff provided for each child's comfort and their individual need for sleep. Children were put down to sleep when they needed sleep and not just at a set time each day.
- Each child was physically checked every 10 minutes while they slept and a record of same was recorded on a communication application system. An automatic notification was sent to their parents informing them of all of their child's activities, which included nappy changes, sleep checks, administration of medication and play activities.
- 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.

Part VI - Safety

Regulation 24 - Checking in and out and record of attendance

(1) A registered provider shall ensure that each pre-school child attending the service is checked in and out of the service by an employee or an unpaid worker.

(3) A registered provider shall ensure that-

(a) no person other than-

(i) pre-school child attending the service,

(ii) a person dropping or collecting such a child,

(iii) an employee, or

(iv) an unpaid worker, can enter the premises without his or her entry being approved by an employee, and

(b) a daily record in writing is kept of the entry on the premises of any such person.

Compliance Information

(1) Each child attending the service was checked in and out each day by a relevant staff member and a record of same was recorded and easily accessible to each staff member. On the day of inspection an attendance record was present in each playroom. The service uses an electronic system where each child's attendance is automatically recorded and stored. There was a direct link to each child's parents or guardian's electronic device, the parents could review all of this information at all times.

(3)(a)(b)

A register was maintained for persons other than those listed above that entered the premises was maintained and available for inspection by authorised persons.

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 two 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'. It was acknowledged that applications for the outstanding Garda Vetting were submitted on the 07/02/2025.

Infection Control:

2. It was observed on the day that the baby room sleep room was used a storage area for a number of items, including cleaning items, bouncers and play equipment from the adjoining playroom. It was noted on the day that baby room was emptied as it was not in use and the toys/equipment were left in cots and on the floor in the sleep room. This practice may pose a risk of cross infection.

Action submitted by the Registered Provider

The registered provider stated the following in their reply:

Corrective & Preventive Action

General Safety:

The renewal forms for the Garda vetting were submitted for three staff members. Two of the three applications have been returned. There was a delay on the third application and this staff member will not be working in the service until this vetting disclosure is returned. In the future, there will be bi-annual review on all Garda vetting disclosure dates.

Infection Control:

All items stored in the baby sleep rooms have removed and this room is no longer be used to storage such items.

Supporting documentation submitted

General Safety:

Copies of the Garda vetting disclosures were submitted to the Early Years inspectorate.

Infection Control:

A photograph of the sleep room, void of all items other than cots were submitted to the Early Years Inspectorate.

Summary Comment

The actions taken by the registered provider did not fully address one of the non-compliances outlined above. The findings documented in point 1 remains outstanding, as one of the three garda vetting disclosures remain outstanding.