

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015GY234		
Name of Service:	Socrates Learning Ltd t/a Spraioi Early Learning Centre		
Address of Service:	Bealach Na Gaoithe, Galway Road, Tuam, Co. Galway.		
Eircode:	H54 CD51		
Name of Registered Provider:	Therese Murphy		
Service type:	Full Day, Part Time, Sessional		
Date of Inspection:	04/10/2023		
No of pre-school children:	AM	46	PM 46
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, Galway.		
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		

Description of service

This privately owned crèche was opened under the present management in 2015. This service is in residential area, in the town of Tuam, Co Galway. There are 6 playrooms which include The Owls, The Chicks, The Monkeys, The Bumble Bees, The Tigers and The Butterflies. Rest areas are provided in each of the playrooms to facilitate children to rest or relax during the day. The service also has a designated sleep room with a total of 7 cots for children less than 2 years of age to sleep. Additionally, there are stackable beds and mats for children over 2 years of age. There is a designated kitchen where the main meals for children are prepared and heated. The meals are cooked in another premises owned by the registered provider. Secured outdoor play area is located at the rear of the service for children to play. The service offers a full day care programme from 8 am to 6 pm, from Monday to Friday, which caters for children aged between 0 to 6 years of age. The service also offers a part time and an Early Childhood Care and Education (ECCE) preschool care programme/ sessional care programme.

Staffing

The service had a manager who is the person in charge and is on the premises daily. The registered provider does not work on the premises with the children daily. There is a total of 12 adults currently working in the premises which includes the area manager and registered provider.

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/premises and facilities. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9,11, 19 and 27; however, on inspection additional non-compliance which posed risk was identified under Regulation 22 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

This inspection was triggered by information received by the Early Years Inspectorate on the 21st of October 2023.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the area manager, 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*
- (c) there is a clear management structure in the service that identifies the lines of authority and accountability in the service and the specific roles and responsibilities of each employee and unpaid worker.*

(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

- (1)(a) There was a designated person in charge and there was a named person available to deputise in the service.
- (b) The designated person in charge was on the premises when the early years inspectors arrived and remained on site for the duration of the inspection. Staff rosters indicated that either the designated person in charge or deputy were available, on the premises, at all times when the pre-school children were present.
- (c) Staff rosters, policies and signage evidence indicated that there was a clear management structure in the service, which identified the lines of authority and accountability within the service and the specific roles and responsibilities of each employee and unpaid worker.

All 12 adult files were reviewed including the registered provider and an area manager.

- (2)(a)&(b) Twenty-four of the validated references on file in respect of 12 adults were from a past employer or a source other than a past employer.
- (c) Garda vetting disclosures were available in respect of the 12 adults.
- (d) Documentary evidence indicated that 7 adult who had lived outside the jurisdiction for longer than 6 consecutive months while over the age of 18 years and therefore required police vetting. The police vetting was available for inspection.
- (4) Eleven adults held a Quality and Qualifications Ireland (QQI) at a minimum of Level 5, in Early Childhood and education.
- (7) The area manager on the day confirmed, that all staff were given a copy of updated policies and procedures for the service and induction on the first day of working in the service. The service staff recently attended an off-site training.

Non-Compliance Information

- (2)(d) Documentary evidence indicated that 1 adult had lived in 3 different jurisdictions for longer than 6 consecutive months while over the age of 18 years. Police vetting for 1 of the jurisdictions was not available for inspection.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider stated in their response on the 24/10/2023 that:

Corrective and Preventive Action

The staff member was unable to obtain the police clearance for one of the countries she has lived in, as she was not given an employment identification number when she was employed and cannot obtain police clearance without this.

Supporting documentation submitted

A copy of the application for police vetting.

Summary Comment

While it is acknowledged that the staff member has applied to obtain police clearance, this remains outstanding as Police vetting has not been obtained.

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 for the previous week was 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.

In the morning and afternoon of the inspection, 46 preschool children being directly cared for by 10 staff.

(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 (1) (a) and (b)

BASIC NEEDS:

- Healthy eating was promoted within the service and the food observed was healthy and nutritious. The snacks provided consisted of a selection of sandwiches, fruit and yogurts. Children had the option of a vegetarian curry or a Mexican turkey with rice dish.
- Crockery and plates were given to children during snack times, laid out on low tables in the outdoor play area.
- The children had access to a water station on a low-level table, that allowed them the opportunity to take a drink if thirsty.
- Children were encouraged and supported to manage their own personal care appropriate to their own level of independence.
- Children who were toileted independently or with some assistance as required.
- Nappy changing procedures were observed to be in line with best practice.
- Children under 2 years of age had access to a designated sleep room with 7 cots. Physical sleep checks were carried out and documented on sleeping children every 10 minutes.
- The children had the opportunity to rest or relax with soft seating in the form of child size couches, in a designated rest and relaxation area, in 5 of the playrooms. Stackable beds were available for children attending on a part time or full day care basis.
- On the day of inspection, the children were observed playing in the outdoor area which had a variety of special interest areas.

SUPPORTING RELATIONSHIPS AROUND CHILDREN:

- A key person system was in place for each child to support their development and to inform curriculum planning. The role of the key person was to liaise with parents and guardians. Individual care programmes were in place where required.
- On speaking with staff, the inspector was informed that they verbally provided parents with daily information on their child's experiences in the pre-school including the child's likes, interests, preferences, and play activities engaged in. This information was provided at collection and drop off times, via text messages, multimedia application and by phone calls.
- Staff were observed picking up on children's cues and supporting them with their individual care needs.
- The staff were observed to be caring and supportive in their interactions with the children. During observed interactions, the staff demonstrated that they knew the children well, recognising and valuing their individual interests, needs and learning.
- The programme of care was flexible and guided by the children's choices. Children were supported by the staff during periods of individual and group-based activities, the staff sensitively supervised and intervened when necessary.
- The service theme was Autumn and children were engaged in sensory play with leaves and artwork.
- Children were observed engaging in small and large groups in different activities throughout the day. If a child wanted to opt out of an activity, they were supported to engage in an activity they preferred to do by staff.

Non-Compliance Information

1. Each child's privacy and dignity was not preserved at nappy changing in the nappy changing area directly across from the children's sanitary area. There was no divider or screen between the two nappy changing mats to protect each child's dignity.
2. Age-appropriate soft seating was not provided for children in the monkey playroom.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider stated in their response on the 24/10/2023 that:

Corrective and Preventive Action

- 1 The number of children in nappies have been reduced as we have worked together with parents to toilet train the children that are ready to use the toilet. A divider will be placed in between the nappy changing areas if our numbers again for nappy changing. Only 1 child is now changed at any given time.
2. Soft seating for the Monkeys has been purchased and we will ensure soft seating is provided.

Supporting documentation submitted

1. No evidence submitted.
2. A receipt for soft seating that has been purchased.

Summary Comment

The Early Years Inspectors have reviewed the response and evidence submitted by the registered provider and has deemed it has met the requirements of this part of the regulations.

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

Infection Control:

1. There was a broken nappy changing bin in use in the nappy changing area across from the children's sanitary area which may pose a risk of cross infection for a preschool child. It is acknowledged that this broken bin was removed during the day of inspection.
2. Warm water was not available the temperature of the water was recorded at 15.6 °C for children to hygienically wash their hands in the children's sanitary area in the prefabricated playroom and this posed a risk of cross infection.

Action submitted by the Registered Provider

The registered provider stated in their response on the 24/10/2023 that:

Corrective & Preventive Action

Infection Control:

1. The broken nappy changing bin was removed on the day of inspection and replaced, in future we will ensure that broken nappy changing bins are removed.
2. The switch for the hot water was accidentally switched off in the prefabricated playroom and was switched on before the end of the working day.

Supporting documentation submitted

Infection Control:

1. No evidence submitted.
2. Photographic evidence of the switch for the hot water on.

Summary Comment

1 & 2 The registered providers response and photographic evidence has been reviewed by the Early Years Inspectors and has been deemed to have met the requirements.

Part VI - Safety

Regulation 27 – Supervision

A registered provider shall ensure that pre-school children attending the service are supervised at all times.

Compliance Information

During the period of the inspection, the service manager ensured that the children were supervised by qualified members of staff.

- Staff were able to demonstrate their awareness of their roles and responsibilities to the Early Years inspectors and were observed supervising children adequately throughout the inspection. Children were supervised by sight in the playrooms, supported by staff at toileting, physically and by sound on the monitor during sleep in the designated sleep room and on the stackable beds to ensure their safety.
- Staff were observed supervising children at mealtimes, nappy changing and while playing in the outdoor play area.
- When children opted out of a group activity staff were observed monitoring them from a distance and checking in with them to see if they were ok.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-
(e) equipped with adequate and suitable sanitary facilities.

Non-Compliance Information

There was an inadequate number of adult toilets on the day of inspection. There was 1 adult toilet and wash hand basin for a maximum of 12 adults on the premises when the ratio is 1:8.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

A second adult toilet has been added in the prefabricated playroom and a sign with adults only has been placed on it. We will in future ensure the ratio of 1:8 is complied with.

Supporting documentation submitted

Photographic evidence.

Summary Comment

The evidence and response by the registered provider have been reviewed by the Early Years Inspectors and it has been deemed that it has met the requirements.

Part VIII - Notifications and Complaints

Regulation 32 – Complaints

- (1) A registered provider shall ensure that the complaints policy of the service specifies-*
- (a) the procedure to be followed by a person for the purposes of making a complaint in relation to the service,*
 - (b) the manner in which such a complaint shall be dealt with, and*
 - (c) the procedures for keeping a person who makes such a complaint informed of the manner in which it is being dealt with.*
- (2) A registered provider shall ensure that-*
- (a) a record in writing is kept of a complaint made to the provider in respect of the pre-school service, and*
 - (b) the complaint is duly dealt with in accordance with the provider's complaints policy.*
- (3) A record in writing referred to in paragraph (2)(a) shall-*
- (a) include the nature of the complaint and the manner in which the complaint was dealt with, and*
 - (b) be open to inspection on the premises by an authorised person.*

Compliance Information

- (1)(a) The registered provider indicated in the complaints policy, that the service welcomes any suggestions, recommendations or comments made by children or parent/guardians in relation to the childcare service. It gives details on the procedures to follow should someone wants to make a complaint.
- (b) The policy indicated that complaints will be dealt with in an open, impartial and in a confidential manner. If the person making the complaint is not satisfied with the outcome of the formal investigation, they are informed to make a written request to go to an independent mediator or panel.
- (2)(a) The registered provider had a policy of how a complaint is dealt with, this included an accurate and detailed record of the complaint and steps the registered provider took to investigate the complaint.
- (b) This record was open to inspection on the premises by an authorised person.
- (3) The Registered Provider had documentary evidence that the record as outlined in (2)(a) was retained for 2 years.