

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015GY277
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<b>Name of Service:</b>	Tots Paradise
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<b>Address of Service:</b>	Montpellier, Athenry, Co. Galway
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<b>Eircode:</b>	H65 H702
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<b>Name of Registered Provider:</b>	Denise Rabbitte
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<b>Service type:</b>	Full Day, Part Time, Sessional
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<b>Date of Inspection:</b>	10/10/2024
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<b>No of pre-school children:</b>	AM	59	PM	44
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<b>Address of the Early Years Inspectorate:</b>	Tusla - Child and Family Agency, Early Years Inspectorate, Quality Assurance Directorate, Clinical & Administration Building, Block A- (1st Floor-Green Corridor), Merlin Park, Galway
<b>Inspection undertaken by:</b>	F. Nic Dhonnacha and B. Lavin
<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 privately operated service is attached to the registered provider's home. It is located in the townland of Montpellier, which is near the town of Athenry, Co Galway. It provides a blended indoor and outdoor full day care service from 7.00hrs to 18.00hrs, from Monday to Friday. An Early Childhood Care and Education (ECCE) and sessional care pre-school programme is offered to children aged between 2 to 6 years of age. Additionally, the service operates a school aged service with a breakfast club, afterschool programme and summer camps during school holidays. The pre-school is divided into Classroom 1 and Classroom 2 (indoor), Geo-pod 1 and Geo-pod 2 (also known now as Classroom 3 (outdoor) and Classroom 4 is the new outdoor room adjacent to Classroom 1. There is a designated wooden building and an outdoor area, for the school aged programme. The service has stackable beds, providing the opportunity for children to sleep. The premise has its own kitchen with an arrangement where the main hot meal of the day is supplied by a food delivery company. There are secure outdoor play areas to the rear and sides of the premises.

### Staffing

The registered provider was not on the premises on the day of the inspection. There was a designated person in charge and a named person who was able to deputise. There is a total of 23 adults working in the service. Thirteen staff who care and work directly with the preschool children, eight staff who work with the school aged children, the manager and a student under 16 years of age on a transition year work experience placement who was supervised at all times. Fifteen staff including the registered provider, hold a Quality and Qualifications Ireland (QQI) at a Level 5 to Level 9, in Early Childhood Care and Education. The staff have documentary evidence of on-going training and education.

### 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, 16, 19, 22,23 and 25.

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, deputy 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 is a registered provider, a manager person in charge and there was a named person available to deputise in the service.
- (b) A person in charge was on the premises when the early years inspectors arrived and remained on site for the duration of the inspection.
- (2) Twenty-three files were available and reviewed by the inspectors. The findings included the following:
- (a)(b) Forty-four references from past employers and reputable sources were available. Thirty-eight of these references had a record of validation.
  - (c) Garda vetting disclosures had been obtained for twenty-two adults. 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) Documentary evidence indicated that eleven staff members had lived outside the jurisdiction for longer than 6 consecutive months while over the age of 18 years and had the required police vetting.
- (4) Sixteen adults working directly with the children held Early Childhood Care and Education qualifications ranging from Level 5 to 9 on the National Framework of Qualifications or a qualification deemed by the Minister to be equivalent.

### Non-Compliance Information

(2)(a)(b)

- Six written validations were not available in respect of 3 adults working in the service.
- Two written validated references in respect of 1 student working in the service were not available.

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

On the 19/11/2024 the registered provider advised of the following.

#### Corrective and Preventive Action

(2)(a)(b) References are available and validated on file now. The registered provider will ensure the files are checked at the beginning of each new school year.

#### Supporting documentation submitted

(2)(a)(b) Eight written validated references two unvalidated references were submitted.

### Summary Comment

The service has reached compliance on this Regulation 9 (2) (a)(b). The service has reached compliance for 19 adults however six validations for three adults working in the service remains outstanding.

Two written validated references for one student also remains outstanding therefore the requirement for this part of the regulation will be reviewed on next inspection.

### 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) From observation an adequate number of staff were working directly with the children. At all times during the period of the inspection, the registered provider ensured that an adequate number of staff were working directly with the children.

(2) The registered provider ensured that the minimum ratio of adults to children specified was maintained.

On the morning of the inspection, there were 59 pre-school children present with eight staff providing direct care for these children additionally the manager provided assistance with the administration part of the inspection and childcare relief.

- 16 children were aged between 2 to 3 years,
- 43 children were aged between 3 to 5 years of age.

In the afternoon, there were 44 pre-school children present

- 14 were aged between 2 to 3 years,
- 30 were aged between 3 to 5 years of age.

There were nine staff directly caring for and supervising these pre-school children.

An additional staff member commenced at approximately 13.00hrs to provide childcare relief.

The deputy person in charge was required to leave the premises at approx. 13.30 hrs the early years inspectors were informed that a nominated person would be the acting person in charge on the premises.

(8)(a) The registered provider ensured that there were 2 staff on the premises while the pre-school was operating.

### Part IV – Information and Records

#### Regulation 16 – Record in relation to pre-school service

- (1) A registered provider shall ensure that a record in writing is kept of the following information in relation to
- (a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor, the service;
  - (g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;
  - (h) details of attendance by each pre-school child on a daily basis;
  - (i) details of staff rosters on a daily basis;
  - (j) details of any medication administered to a pre-school child attending the service with signed parental consent;
  - (k) details of any accident, injury or incident involving a pre-school child attending the service.

#### Compliance Information

- (g) A sample of the policies, procedures and statements of the service specified in Schedule 5 were reviewed via a hard back copy and were available to the inspectors for review. It is acknowledged that the service policies and procedures are updated on an annual basis.
- (h) The inspectors observed that the children in attendance in the indoor and outdoor playrooms were recorded on the electronic application system. This included the full name of the child their time of arrival and time of departure.
- (j) Details of medication administered to the pre-school children attending the service were recorded with signed parental consent and details of medication administered were issued to parents on the electronic application system. A sample of ten records were reviewed by the inspectors.
- (k) The sample of accident, injury or incident records involving pre-school children attending the service detailed a signed parental signature after the incident occurred. Accidents, injuries or incidents are issued to parents on the service's electronic application system. A random sample of ten records were reviewed by the inspectors.

### 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

(1)(a)

##### Basic Needs

- Staff supervised the children and treated the children in a sensitive manner during nappy changes and toileting. Nappies were changed frequently and on an individual basis.
- The privacy and dignity of each child at nappy changing and toileting was respected. Staff responded to children's cues quickly.
- Eleven younger children between Classroom 1 and Classroom 2 wore nappies. These children had their nappies changed in a timely manner by staff. Older children were toilet trained and either toileted independently or with some assistance by staff when required.
- Stackable beds were provided for the children over 2 years of age who were tired and required a rest and sleep. Classroom 1 was converted after lunch to provide the provision for sleep and rest.
- The children could move about freely in their playrooms and all the children had the opportunity to play outdoors.

##### Supporting Relationships

- The service provided parents and guardians with daily information, including significant events or activities involving their child, for example, verbal communication at drop of and collection times, a social media interactive communication application and a bespoke childcare application.
- The service had a designated childcare application with interactive communication with parents and guardians. There was section with photographs and a description of the child engaged in activities. Staff

observations, a child's milestones and individual learning stories were captured. The childcare application showed details of sleep provisions, meals, nappy changing / toileting, special activities, and a child's likes, needs and preferences and general observations and comments.

### PHYSICAL AND MATERIAL ENVIRONMENT

- The playrooms had various interest areas with educational materials for sensory perception, sorting, matching, sequencing, creative construction, role play, develop language skills, physical activities, art and craftwork.
- Classrooms 1 and 2 had low open shelving to allow the children access toys and play materials. The tables and chairs were child size to suit the age and stage of development of the children in the room. There was clear floor space, and the children were observed listening and dancing to music. The children's art, photographs and educational learning posters were displayed on the walls in each of the playroom.
- The children from classroom 1 and 2 played predominantly outside. The children were observed on ride on toys, using swings and a slide, playing in playhouses and running around in the outdoor space.
- The service provided a vast range of developmentally appropriate experiences for the children attending in the outdoor play area.
- The children in Classroom 2 were observed engaging with tabletop art and craft activities which the staff supported.
- The children in Classroom 3 were observed at imaginative play at small world play, pretend shop, pretend kitchen, and they played predominately in the outdoor play area. They were observed on ride on toys, go carts, playing with water on the tuff trays running kicking ball and exploring the outdoor space.
- There was adult seating in each playroom to facilitate a staff member comforting a child.
- There were outdoor play areas to the rear and side and front of the premise which were sufficiently spacious to accommodate the numbers of children attending the service.
- Play equipment and materials provided in the outdoor area supported a range of physically energetic activities and play experiences. The outdoor play areas were covered by grass and tarmacadam surfaces and was secured by gates, walls and fencing. There was a new Classroom 4 now in the wooden decking area covered by a clear acrylic sheeting roof used for all weather activities. Adjacent to Classroom 4 (outdoors) was an enclosed newly constructed designated play area. This area had a mulch type bark surface and artificial grass area. The area including a playhouse, balance boards, swings, a see saw, a sand play area ride on bikes and tractors. The children were observed predominately playing in this area on the

morning of the inspection and then with the children from Classroom 3 in the outdoor play area to the side of the premises in the afternoon. The areas were secured with fencing and secure gates.

### 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

- There was a healthy eating policy, and a weekly dinner menu was available for parents and guardians to view on an electronic application. The foods observed on the day of inspection were healthy and nutritious.
- From 7.00hrs to 9.00hrs, the children had the opportunity to have a selection of cereals, toast, and milk.
- In the morning at 11.00hrs, the children’s snacks were supplied by their parents and guardians and consisted of savoury sandwiches, yogurts, brown bread, fruit pieces, wraps, crackers, and rice cakes. Perishable items from children’s lunch boxes were stored in service fridge.
- At approx. 13.30hrs, the main meal was served. This was supplied by a food delivery company and consisted of mash potatoes, mixed vegetables, chicken and gravy. The service highlights the variety of dinners provided by the food company on a poster in the service kitchen and on the electronic application for the parents to review.
- Between, 16.00hrs to 16.30hrs, the children had rice cakes, scones, breadsticks and fruit pieces supplied by the service. After 17.00hrs, an additional snack was offered to any child if hungry.
- Drinking water was available on low tables and shelves for children to self-serve in each playroom and in the outdoor play areas.

#### Non-Compliance Information

1. Two children wished not to have the dinner of mash potato gravy, mixed vegetables and chicken in Classroom 2. It was observed that a staff member provided buttered toast as an alternative to the dinner. An adequate alternative healthy meal with appropriate food groups as recommended by the Nutrition

Standards for Early Learning and Care Service (2023) was not provided for the 2 children aged between 3-4 years of age attending the service on full day care.

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

On the 19/11/2024 the registered provider advised of the following.

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

1. The preschool service has liaised with the parents of the children. If the children continue to refuse the dinner the parents will have the option to send in an alternative meal from home the service will offer an alternative option which will include three food groups for example, toast / bread with cheese and milk or beans on toast as an alternative and parents will be informed via the electronic application system in the service.

#### **Supporting documentation submitted**

1. No evidence submitted.

### Summary Comment

The actions of the registered provider have been reviewed. The service has reached compliance on Regulation 22 however no evidence was submitted therefore this regulation will be reviewed on next inspection.

## 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.*

#### Compliance Information

##### General Safety:

- A secure system was in place at the entrance door to monitor the safe entry and exit of the children to and from the childcare facility.
- The outdoor areas were secured with fencing and gates to protect the children within.
- Medication and cleaning agents were stored in a secured area out of reach of the children.
- The blind cords were appropriately secured to the windows throughout the service.

##### Infection Control:

- The service was maintained in a clean condition.
- The sanitary facilities were equipped with warm water, liquid soap, hand paper towels and lidded, pedal operated bins. Child friendly handwashing posters were located above the wash hand basins as prompts to promote good handwashing practices.
- The children washed their hands at appropriate intervals after activities, wiping their noses, toileting and before mealtime.
- The soothers were stored in individually labelled containers when not in use.
- Labelled containers are available for storing bedlinen and personal care items.

##### Safe Sleep:

- Low level beds were available for children over two years of age to rest and sleep.
- Classroom 1 was converted after lunch for the provision of sleep and rest. The room temperatures were maintained between 16-20 degrees Celsius in the sleep room. A temperature checking device was available for staff to measure and monitor the room temperatures.
- The children's sleep observations were recorded by staff every ten minutes on the service's electronic application system. These observations included the children's: colour, position and breathing.

## Non-Compliance Information

### General Safety:

1. Garda vetting was available, but the date was greater than 3yrs for two staff members. 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. Inappropriate storage of 10 food and waste filled black refuse sacks were stored in the blue and white garda playhouse located in the outdoor play area to the side of the premises. They were accessible to the preschool children causing a potential safety risk. The inspector had notified a member of staff It is acknowledged that later in the day a member of staff secured the playhouse thereby making the area inaccessible to the preschool children.
3. A yellow painted bike in the outdoor play area to the side of the premises showed signs of rust and flaking paint, this bike posed a risk of safety to the preschool children.
4. Three lockers holding staff bags and personal belongings were open and accessible to the preschool children in Classroom 1. The staff advised that the secure code was not working at present. This posed an access risk to the preschool children.

### Infection Control:

5. The blue plastic couch in the outdoor play area was frayed and torn. In addition, the orange and yellow plastic couch in the new outdoor classroom 4 was frayed and torn causing a potential risk of cross infection.
6. A child attending the service on a full day care basis aged between 3 - 4 years in Classroom 2 looked for additional food during dinner time. It was observed that a staff member gave another child's dinner to this child. The staff member informed the inspector that the meal had barely been touched by the other child and there was no point wasting the food. The mealtime practice was in invariance with the service Healthy Eating policy and there was a potential risk of cross contamination.
7. Inappropriate storage of a grey toilet brush was evident on the top of the steps up to the wash hand basin and nappy changing unit in the nappy changing area adjacent to classroom 2. This causes a potential risk of cross infection.
8. A hand touch lidded bin (with no pedal) located beside the wash hand basin to the side of the premises in the outdoor play area posing a risk of cross infection.

### Action submitted by the Registered Provider

On the 16/10/2024 and the 19/11/2024 the registered provider advised of the following

#### **Corrective & Preventive Action**

##### **General Safety:**

1. Garda vetting for two staff members has been sent for renewal. The staff files will be reviewed every September to ensure the garda vetting's are up to date.
2. The 10 food and waste filled black refuse sacks should not have been stored in the playhouse. The refuse removal company was delayed with the collection of the bins and the main wheelie bin was over full. The manager will ensure that the refuse will be brought to the refuse centre if there is a delay in collection in the future.
3. The yellow bike will be sanded down and resprayed.
4. The lockers were new and the staff were unable to close them as the instructions were mislaid. There is a master key securely positioned beside the lockers anymore.

##### **Infection Control:**

5. The staff will be vigilant when checking the seating equipment and will use black leatherette tape to seal any small areas that are frayed or torn.
6. The staff have been spoken to about sharing food. All untouched food will be thrown in the bin.
7. The toilet brush has been removed. It is acknowledged that this room was not in use on the day of inspection.
8. A foot pedalled lidded bin is now in place.

#### **Supporting documentation submitted**

##### **General Safety:**

1. A copy of two garda vetting clearance certificates have been submitted.
2. A photograph of the clean Garda playhouse with the refuse sacks removed. A copy of an email from the refuse collection company.
4. A photograph of the secure lockers.

##### **Infection Control:**

5. A photograph of the black leatherette tape used to repair the seating for preschool children.
6. No evidence submitted.
7. No evidence submitted.
8. Picture of a new foot pedal lidded bin.

### Summary Comment

The actions and the evidence submitted by the registered provider have been reviewed. The requirements of the regulation have been met and will be reviewed on next 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

(2)(a) There were large first aid boxes available with items all safely stored, easily accessible and in a conspicuous position.

(b) The service demonstrated that the first aid boxes were fully equipped, with items in date and available to the children attending the pre-school service.

#### Non-Compliance Information

(1) No person trained in First Aid Responder (FAR) was available to the children attending the pre-school service on the day of inspection. It is acknowledged that nine staff have a paediatric first aid course. One member of staff is booked to attend (FAR) First Aid Responder training in the month of November 2024.

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

On the 19/11/2024 the registered provider advised of the following.

##### Corrective and Preventive Action

A staff member has been enrolled on a First Aid Responder course. The expected date for completion of the FAR training is 14/11/2024.

##### Supporting documentation submitted

A copy of an email from the training company who provided FAR training to a member of staff and completed the 3-day training on the 14/11/2024 expiry 13/11/2026.

## Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance identified under Regulation 25 (1) has been adequately addressed and a copy of the completed certificate will be forwarded to the Early Years Inspectorate.