

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015KE026				
<b>Name of Service:</b>	Milltown Playschool				
<b>Address of Service:</b>	1334 Milltown, Newbridge, Co. Kildare				
<b>Eircode:</b>	W12 WY45				
<b>Name of Registered Provider:</b>	Geraldine Kelly				
<b>Service type:</b>	Sessional				
<b>Date of Inspection:</b>	17 April 2024				
<b>No of pre-school children:</b>	<table border="1"> <tr> <td>AM</td> <td>11</td> <td>PM</td> <td>n/a</td> </tr> </table>	AM	11	PM	n/a
AM	11	PM	n/a		

<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, Child and Family Agency, Suite 7, Vista Primary Care Centre, Ballymore Eustace Road, Naas, Co. Kildare, W91 X38W.
<b>Inspection undertaken by:</b>	T. Duignan
<b>Title:</b>	Early Years Inspector

### Authority to Inspect

The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(J) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).

<b>Conditions if applicable:</b>	N/A
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### Description of service

Milltown Playschool was established in 2002 as a privately run childcare service for pre-school children aged 2 to 6 years by Geraldine Kelly, the Registered Provider.

The service is registered to provide sessional childcare and education to children from 8:45am – 11:45am and 12:15 – 15:15 hours, Monday to Friday, however a condition attached to the registration of this service until 20 April 2024 prohibits the operation of the afternoon service.

The setting can cater for a maximum of 18 preschool children for each session, however a condition attached to the registration of this service until 20 April 2024 limits the number of children that can attend the service to 11. The service is located in a purpose-built premises beside the Registered Providers own home in Milltown near Newbridge. There is set down and parking available.

The service consists of one room with adjoining sanitary facilities. A secured outdoor play area is available at the side and rear of the service.

### Staffing

Two adults including the registered provider work in the service. The registered provider works directly with the children. Both adults hold a major award in Early Childhood Care & Education on the National Framework of Qualifications. A student is completing a practice placement in the service however the student was not present on the day of the inspection.

### 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 and safety.

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

Four conditions were applied to the registration of the service on 20 April 2023.

Part VI, Article (23) Child Care Act 1991 Early Years Regulations 2016 Child Care Act 1991 Early Years Regulations 2016.

On Inspection there was evidence that all the conditions attached to the registration of this service were complied with:

The registered provider must:

1. Reduce the number of children attending the service from 18 to 11 children.
2. Ensure that all reasonable measures are taken to identify and promptly address any matter that would negatively impact on the safety and wellbeing of children in attendance in the service.
3. Implement a risk assessment system outlining the process of risk identification, staff roles and responsibilities, the controls/mitigation of identified risks in a timely manner. The risk assessments must be reviewed regularly and updated as required.
4. Reduce the number of sessions provided by the service from a morning & afternoon session to providing a morning session only.

### Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered provider, staff member and children who were present on the day of the inspection.

## Part III – Management and Staff

### Regulation 9 – Management and recruitment

*(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

Four records were assessed.

(2)

(a)(b) Two written and verified references from a past employer or reputable source other than a past employer were available for four adults.

(c) Garda Vetting disclosure was available for four adults, two of which were in the dated within the last three years. 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 was available for one adult who had resided outside the state for a period of longer than 6 consecutive months.

(4) Two adults employed and working directly with children attending the service held at least a major award in Early Childhood Care and Education at Level 5 on the National Framework of Qualifications.

## 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.*

*(3) Subject to paragraph (5), a registered provider of a sessional pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 2 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) therefore at that reference number is satisfied.*

#### Compliance Information

(1) There were eleven children attending the service being supervised directly by two adults during the inspection.

(3) The minimum ratio of adults to children was adhered to during the day.

### 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 the service:*

*(h) details of attendance by each pre-school child on a daily basis.*

*(i) details of staff rosters on a daily basis.*

#### Compliance Information

(h)

- The registered provider maintained a daily record of the attendance and departure for each pre-school child attending the service.

(i)

- The registered provider maintained details of staff rosters on a daily basis.

### 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:

The entrance door to the service was controlled by the staff members to prevent children from exiting the service unsupervised and to restrict unauthorised persons from gaining access the premises. The gate at the entrance of the registered providers property was also secured.

There was a risk management policy for the service. The registered provider had completed daily indoor and outdoor environmental risk assessments to promptly manage any risk identified, and to ensure a safe play and work environment for the children and the staff. The service had a system in place to manage maintenance issues.

The service met the necessary safety requirements in respect of the indoor environment, toys and equipment and safe storage of cleaning agents. The registered provider was observed to check the children's snacks and remove foods that could pose a potential choking risk to a child.

#### Non-Compliance Information

##### General Safety:

1. The Garda vetting disclosure available for one staff member was not dated within the previous three years in adherence to the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'. It is acknowledged that the registered provider provided documentary evidence that garda vetting had been applied for to meet the re registration requirement outlined in the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'

#### Action submitted by the Registered Provider

##### Corrective & Preventive Action

##### General Safety:

1. The Garda vetting has been issued, printed and a copy is kept in the service on the staff members file. There is now a note in the Staff folder containing the Garda vetting reminding that the vetting lasts for 3 years.

##### Supporting documentation submitted

Garda vetting document

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## Summary Comment

The written response and documentary evidence submitted by the registered provider has been assessed by the Early Years Inspectorate. Regulatory compliance is met for regulation 23.