

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015KE090
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Name of Service:	Tír na nÓg Early Years Care & Education Centre Ltd
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Address of Service:	Model Court, Athy, Co. Kildare
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Eircode:	R14 CR29
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Name of Registered Provider:	Kathleen Cash
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Service type:	Full Day
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Dates of Inspection:	19/02/2024
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No of pre-school children:	AM	91	PM	45
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Address of the Early Years Inspectorate:	Early Years Inspectorate Child & Family Agency Suite 7, Vista Primary Care Ballymore Eustace Road Naas Co. Kildare. W91 X38W
Inspection undertaken by:	F. Maher and T. Duignan
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	N/A
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Description of service

This private childcare service provides full day care, part time care and sessional care and education to children from 1-6 years old. The service opens from 08:00am-18:00pm, Monday- Friday. The premises is located in the town of Athy in a large building, part of which is listed, and nine pre-school rooms are provided; two of the pre-school rooms are located upstairs in one part of the premises and a second pre-school room is located in a building located across the small carpark from the main entrance. Two pre-school rooms are located in standalone modular units to the of the main building. An art room, sand room and a sensory room are available for the children and four outdoor play areas with a variety of interest areas are also available for the children attending the service.

Staffing

There were twenty-two adults present on the day of inspection and of these, fourteen were working directly with the children along with three students who were on work placement. The registered provider was present along with the person in charge, deputy person in charge, one relief staff member and the kitchen assistant.

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.

A sampling process was used to assess compliance under
Regulation 9 (2)(a)(b)(c)(d) (3) (4) - Management and recruitment
Regulation 20(1)(b) - Facilities for Rest and Play
Regulation 22 - Food and Drink
Regulation 23 - Safeguarding health, safety and welfare of child
Regulation 24 - Checking in and out and record of attendance

As a result, the scope of the inspection included the Caterpillar, Cocoon, Beehive, Anthill and Grasshopper rooms. However, on inspection an additional non-compliance which posed an additional risk was identified under, Regulation 16(1)(i) - Record in relation to pre-school service
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 registered provider, 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.

(3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.

(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 designated person in charge and a named person to deputise as required.

(b) The named person in charge remained on the premises for the duration of the inspection.

The records of twenty-nine staff members employed were reviewed, this included the registered provider, two staff members currently on leave and three workplace students.

(2)(a)(b)

Two written and verified past employer references or references from a reputable source in the absence of a past employer reference were available in respect of 25 adults employed in the service and one verified reference in respect of two workplace students were available of the 29 records were reviewed.

(c)

Garda vetting disclosures had been obtained for all 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 was available for nine adults who had lived in a state other than the State for a period of longer than 6 consecutive months.

(4)

Nineteen adults working directly with the children held qualifications in Early childhood Care and Education at Level 5 or higher on the National Qualifications Framework or a qualification deemed by the Minister to be equivalent.

Non-Compliance Information

(2)(a)(b)

1. Two written and verified past employer references or references from a reputable source in the absence of a past employer reference was not available in respect of one adult employed in the service.
2. Four references on file in respect of three workplace students had not been verified.

(d)

Police vetting was required for three adults who had lived in a state other than the State for a period of longer than 6 consecutive months.

(3)

The procedures specified in paragraph (2) had not been completed in all instances prior to any person(s) being appointed, assigned or allowed access to or contact with a child attending the pre-school service.

(4)

There was no documentary evidence provided to state that two employed adults, working directly with children in the service, held at least a major award in Early Childhood Care and Education at Level 5 or equivalent on the National Framework of Qualifications.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action:

All references have been verified and placed on file.

Police Vetting for the adults has been applied for.

Induction process of Placement students re-visited with new student folder devised for their specific documentation.

One staff member is now working with school age children until clarification of qualification has been received and the second staff member works only with school age children.

Preventive Action:

A newly appointed inhouse administrator has been designated to complete, review and update documentation as necessary to ensure future full compliance.

Supporting documentation submitted

Documents x 38

Summary Comment

Following submission of all outstanding documentation and the preventive actions outlined, the requirement for Regulation 9 (2) (a)(b), (d) and (4) has been met. The international police vetting documentation remains outstanding due to timelines involved, as a result, the requirement for Regulation 9 (2)(c) and (3) has not been met.

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)
There were 91 children attending the service being supervised directly by 14 adults.
- (2)
The minimum ratio of adults to children was adhered to during the day as specified in column (3) of Part 1 of Schedule 6.
- (8)(a)
There were at least two adults on the premises at all times for the duration of the inspection.

Part V - Care of Child in Pre-school Service

Regulation 20 – Facilities for rest and play

- (1) Subject to this regulation, a registered provider shall ensure that-
- (b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.

Compliance Information

- (1)(b)
The sleep and rest facilities and equipment, provided by the service, were suitable for the ages, development stages and individual needs of the children using the service. There were two separate sleep rooms with a sufficient number of standard cots for children attending the service less than 2 years old requiring sleep in a cot. There were also a sufficient amount of low level beds available for children over the age of 2 years requiring a period of sleep during the day when attending on a part time or full day care basis.
- Cots and sleep beds were sufficiently spaced to allow staff to easily move between them to care for or attend to the children. The lighting in the sleep rooms could be reduced to a level to allow staff complete visual checks in the dimmed environment.
- Individual bed linen was provided to each child and laundered on a regular basis by the service.
- Each pre-school room had an area with child sized furnishings, generally located beside a small library area, that offered a quiet comfortable space for the children to take a break from activities, rest or read a book.

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

A healthy eating policy is in place and parents are provided with a copy of the policy which includes visuals of healthy food ideas for hot meals and snacks. As the service does not provide the hot meals or snacks to the children, parents are requested to provide all food for their child.

For children attending on a full day care basis and to ensure the foods provided, including the hot meal meets the nutritional requirements for the children, the registered provider/persons in charge check this daily as each child arrives to the service. The notice board at the main entrance also displays healthy food options to assist parents when preparing meals for their child.

The food observed that was provided for snack, in the pre-school rooms inspected, consisted of sandwiches, wraps and bread rolls with a variety of healthy fillings, fresh fruit pieces, cheese, crackers, yoghurt and fromage frais with water to drink. The hot meals provided were observed to be varied and nutritious and included a variety of meat, potatoes and vegetables, curry dishes with meat, vegetables and rice and various pasta dishes with meat and vegetables added; all children were offered milk with their dinner and drinking water was freely available throughout the day in each pre-school room.

All perishable foods were stored in fridges in the pre-school rooms and in the fridge in the main kitchen; daily fridge temperatures were recorded for all units by the staff.

The kitchen assistant and another staff member were qualified in food safety, including the preparation and serving of food provided by the parents.

The kitchen was registered with the relevant authority and was recently inspected.

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 main entrance door to the service was secure and controlled by staff to prevent children from exiting the service unsupervised and to restrict unauthorised persons from gaining access to the pre-school service.

Daily indoor room and outdoor risk assessments were completed and maintained to ensure a safe play and work environment for the children and staff.

Staff members in the rooms inspected, advised the inspectors they immediately cut/chop any food provided that may pose a choking risk to a child and would remove any necklace/beads if observed that a child may be wearing them. Children were observed being safely escorted across the car park from Ladybird room to the main building to access the play area at the rear. The staff members, caring for sleeping children, in conversation with the inspector, advised that ten minute sleep checks were recorded to check the colour, position and breathing pattern of sleeping children.

The service met the necessary safety requirements in respect of the toys and equipment and safe storage of cleaning agents.

Non-Compliance Information

General Safety:

Garda vetting was available for 6 staff members; however, this vetting disclosure was not dated within the previous three years in adherence to with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.

Action submitted by the Registered Provider

Corrective Action:

General Safety:

Garda vetting has been reapplied for and since returned.

Preventive Action:

A newly appointed inhouse administrator has been designated to complete, review and update documentation as necessary to ensure future compliance.

Supporting documentation submitted

General Safety:

Documents x 6

Summary Comment

The requirement for Regulation 23 has been met.

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.

(2) Where there are more than 15 children attending a pre-school service in a drop-in centre, the registered provider shall ensure that one employee or unpaid worker is assigned responsibility for the checking in and out of children.

(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.

(4) A registered provider shall ensure that a record in writing referred to in paragraph (3)(b) is retained for a period of one year from the date to which it relates.

Compliance Information

(1)

The registered provider ensured that each child was checked in and out of the service. This was confirmed by the electronic attendance records maintained in each care room.

(2)

Not applicable as this was not a drop in service.

(3)(a)(b)

The registered provider ensured that any person entering the service was approved and a record in writing was maintained.

(4)

The registered provider confirmed that the records were retained in storage for the required period of time.

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)

Persons were trained First Aid Response (FAR) and were immediately available to the children attending the service.

(2)(a)

The first aid equipment was safely stored in conspicuous positions throughout the service.

(b) Suitably equipped first aid boxes for children were available to the children attending the 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 written record was available of fire drills completed in the service. The last recorded fire drill was on 2 February 2024.

(b) A record was kept of the number, type and maintenance of the firefighting equipment and smoke alarms in the premises. Firefighting equipment and smoke alarms were last serviced 3 March 2023 and 29 January 2024, respectively.

(4)

A notice of the procedures to be followed in the event of a fire was conspicuously displayed in the service.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

There was evidence of current insurance cover valid until 27 March 2024. The insurance provided cover for 125 children.

Additional Risk Identified

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:

(i) details of staff rosters on a daily basis;

Non-Compliance Information

(1)(i) The following information was not recorded on the staff roster:

- There was no indication which rooms staff members were assigned to.
- The break times for staff members were not recorded.
- There was no indication who the relief staff member(s) was/were.
- The roster did not reflect the person(s) trained in first aid on duty in the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action:

New staff roster has been devised that includes all relevant information.

Preventive Action:

This new rostering system will continuously be reviewed and updated as necessary.

Supporting documentation submitted:

Document x 1

Summary Comment

Following review by the inspectorate of the submitted staff roster, the requirement for Regulation 16 (1)(i) has been met.