

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015KE098
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Name of Service:	Magic Years Limited
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Address of Service:	183 Sallinsbridge, Sallins, Co. Kildare
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Eircode:	W91 PV32
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Name of Registered Provider:	Brenda Hanley
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	11/04/2023
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No of pre-school children:	AM	20	PM	20
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Address of the Early Years Inspectorate:	Early Years Inspectorate Child and Family Agency Suite 7, Vista Primary Care Centre Ballymore Eustace Road Naas Co. Kildare, W91 X38W
Inspection undertaken by:	F. Maher, L. Costello
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
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Description of service

Magic Years is a privately owned childcare service. Full day, part time and sessional care and education is provided to children from 0-6 years of age. The service opens Monday-Friday from 07:30-18:30hrs and is also registered to provide school aged childcare.

The service is located in a purpose built premises attached to the side of the registered providers private home in a residential housing estate in Sallins Co. Kildare. Four pre-school rooms, a sleep room, kitchen, office and staff room are provided. A play area is available to the rear of the premises.

Staffing

There were seven adults with qualifications in Early Childhood Care and Education present in the service. Five adults were working directly with the children and a second member of staff was available to provide cover and relief as needed. The person in charge was also supernumerary and available to support the care rooms. The registered provider who works in the service was on leave and not present on the day of 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, health, welfare and development of child and safety. The inspections may also focus on other areas as required.

A sampling process was used to assess compliance under
Regulation 9 - Management and recruitment (1)(a)(b), (2)(a)(b)(c)(d), (3), (4).
Regulation- 15 Record of pre-school child (1)(a)-(i), (3)(c),(4).

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 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.

(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),(b)

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

(2)(a),(b)

The records of one new staff member employed in the service since the last inspection were reviewed.

Two written and verified past employer references or references from a reputable source, in the absence of a past employer, were available in respect of one adult employed in the service.

(c)

A Garda Vetting disclosure was available for one recently employed staff member.

- (d)
Police vetting not required as the recently employed adult had not 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 been completed prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.
- (4)
One adult recently employed and working directly with the children held a major award at Level 8 in Early Childhood Care and Education 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)
There were twenty children attending the service being supervised directly by five 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 IV – Information and Records

Regulation 15 – Record of pre-school child

(1) A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:

- (a) the name and date of birth of the child;*
- (b) the date on which the child first attended the service;*
- (c) the date on which the child ceased to attend the service;*
- (d) the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;*
- (e) authorisation for the collection of the child;*
- (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;*
- (g) the name and telephone number of the child's registered medical practitioner;*
- (h) record of immunisations, if any, received by the child;*
- (i) written parental consent for appropriate medical treatment of the child in the event of an emergency.*

(3) A record in writing referred to in paragraph (1) or (2) shall be open to inspection on the premises by-
(c) an authorised person.

(4) A registered provider shall ensure that a record in writing referred to in paragraph (1) is retained for a period of 2 years from the date on which the child to whom it relates ceases to attend the service.

Compliance Information

(1)(a)-(i)

A 25% sample of the records of the children attending the service were reviewed. The required information from (a)-(i) above was fully completed for each child.

(3)(c)

The records in writing were available for inspection by the inspector.

(4)

The person in charge confirmed the records are retained for the required period of time as set out in the regulation.

Part IV – Information and Records

Regulation 18 – Copy of Act etc.

A registered provider shall ensure that a copy of Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act and of these Regulations is kept on the premises and the said copies shall be open to inspection on the premises by-

(c) an authorised person.

Compliance Information

(c)

The registered provider ensured that a copy of the regulations was available in the service. This was open to inspection on the premises when requested from the person in charge by the early years inspector.

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-

(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

Children were observed happy, content and relaxed within their room environments. Staff members ensured children in their care were supported in all aspects of their physical, emotional and social wellbeing and demonstrated warmth and affection in all interactions with the children. The staff were very respectful towards the children in their care and positive body language and gentle voice tones were used. Children were observed to be fully supported by staff members as they transitioned from their self directed play and activities throughout the day.

Babies and young children were cuddled and held and were observed to crawl and explore their environment. Babies availed of sleep on a needs basis and home routines were followed. Nappy changing was also on a needs basis and more regularly if required.

Children were supervised when using the toilet and assisted with hand washing as necessary.

There was an emphasis on positive behaviour which was observed to be managed in a calm consistent manner. Children were immediately acknowledged on an individual basis or as a group and were praised for jobs well done. A healthy eating policy was in place in the service and this was reflected by the healthy snacks and meals provided by the service. The morning snack served included toast and pieces of fresh fruit, dinner was pasta bolognese with milk to drink. Water was freely available and accessible to the children throughout the day. Staff members sat with the children for mealtimes which provided a social, homely and enjoyable food experience. Highchairs were in place in the Baby room to assist staff when feeding the babies and also provided safety and support for the babies at these times.

Suitable rest areas with soft furnishings were available in each care room should a child wish to rest or take a break from activities and a comfortable armchair was available in the Baby room to enable staff sit comfortably to nurse or comfort the babies.

The pre-school rooms were well resourced, planned and considered from a child's perspective with materials and equipment easily accessible on low level open shelving units. Family walls in each room with pictures of the children and their families helped to keep each child reassured and connected to home.

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 with a bell entry system; this was controlled by staff to prevent children from exiting the service unsupervised and to restrict unauthorised persons from gaining access to the pre-school. A bottle warmer was in use to warm prepared infant formula in the Baby room. All toys and equipment observed were in good condition and working order. Daily indoor and outdoor risk assessments were completed by the person in charge each morning.

Infection Control:

The premises were maintained in a clean and hygienic condition and cleaning schedules were completed by the staff in each room on a daily basis. Children's hands were washed before eating, following toilet use, nappy changing, outdoor and messy play. There was a supply of thermostatically controlled hot water, liquid hand soap and paper towel at all sinks to support hygienic hand washing and foot pedal operated bins were available for the safe disposal of used paper hand towel, tissues and soiled nappies. A system was in place for the sterilisation of soothers and mouthed toys in the Baby room. Parents supply prepared infant formula which was hygienically stored in the fridge until it was required.

Administration of Medication:

Medication was not given at the time of the inspection and in conversation with staff members, they were aware of the procedures to be followed to administer medicine safely to a child if required while attending the service.

Safe Sleep:

One sleep room with a total of four standard cots were in place for children less than 2 years of age requiring sleep. Sufficient low-level sleep beds were available for all children aged over 2 years requiring a period of sleep while attending the service on a part time or full time basis. The staff members were familiar with current safe sleep guidance and practice to reduce the risk of sudden infant death. It was observed that 10-minute sleep check observations were completed on all sleeping children and the staff documented the colour, position and breathing of sleeping children in their care. The environmental temperature of the sleep room was maintained between 16°-20° Celsius.

Fire Safety:

Regular monthly fire drills were carried out and records maintained. All fire exits were easily identifiable and unobstructed.

Outing:

Outings are not conducted from the service as confirmed by the person in charge.

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.

(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 written attendance records maintained in each care room.

(3) (a),(b)
The person in charge ensured that any person entering the service was approved and a record in writing was maintained.

(4)
The person in charge confirmed that the records were retained in storage for the required period.

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 42 children.