

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015KE098
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<b>Name of Service:</b>	Magic Years Ltd
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<b>Address of Service:</b>	183 Sallinsbridge, Sallins, Co. Kildare
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<b>Eircode:</b>	W91 PV32
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<b>Name of Registered Provider:</b>	Brenda Hanley, Laura O'Rourke
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<b>Service type:</b>	Full Day, Part Time, Sessional
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<b>Date of Inspection:</b>	08/04/2024
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<b>No of pre-school children:</b>	AM	42	PM	26
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<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>	F. Maher
<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

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

The service is located in a purpose built premises attached to the side of the registered provider's 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 ten people employed in the service, this included the registered providers and eight pre-school staff members. Nine childcare staff were working directly with the pre-school children 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, safety, premises and facilities. The inspection may also focus on other areas as required.

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 inspector wishes to acknowledge the cooperation of the registered providers, 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.*

### Compliance Information

(1)(a),(b)

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

The records of ten staff members employed and/or present in the service including the registered providers were reviewed.

(2)(a),(b)

Twenty written and verified past employer references or references from a reputable source, in the absence of a past employer, were available in respect of ten adults employed in the service.

(c) Garda vetting disclosures had been obtained for all employed staff members.

The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d) Police vetting was available for two staff members who had lived in a state other than the State for a period of longer than 6 consecutive months.

(4)

Ten members of staff employed and who work directly with the children whose records were reviewed held a major award at Level 5 or higher 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 forty-two children attending the service being supervised directly by nine adults.

(2)

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

(8)(a)

There were at least two adults on the premises at all times for the duration of the Inspection. This was confirmed following review of the staff roster for the service.

### 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:*

*(k) details of any accident, injury or incident involving a pre-school child attending the service.*

#### Compliance Information

(k)  
The registered providers ensured that records in writing were maintained regarding any incident that had occurred in the service to date, this was supported by the documentary evidence reviewed for a sample size of 10 accident and incident reports completed between 3 November 2023 -29 February 2024 across the service.

### 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-*

*(a) having regard to the number of pre-school children attending the service, their respective ages and the amount of time they spend on the premises, there are adequate and suitable facilities for each child 19 to play indoors and, where required by these Regulations, outdoors, during the day, and*

*(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)(a)  
The four pre-school rooms were bright and spacious for the children to move about, work and play during their time spent in the service. The outdoor play area had a covered area with sand play and outdoor kitchen with props. Plenty of ride on equipment was available to provide fun and play including gross motor activities for the children.

(b)  
Suitable comfortable rest areas were available in each of the four pre-school rooms should a child wish to take a break from activities for some quiet time, rest or read a book and consisted of soft, child sized couches in a designated space adjacent to the library areas.

One sleep room, with four standard cots was provided for the sleep needs of any child under two years old and low level sleep beds were in place for children aged two years and above who availed of a period of sleep during the day when attending on a full or part time basis.

### Part V - Care of Child in Pre-school Service

#### Regulation 21 – Equipment and materials

*A registered provider shall ensure that there is adequate and suitable furniture, play and work equipment and materials available on the premises of the pre-school service.*

#### Compliance Information

There was a good variety of age and developmentally appropriate toys, materials and equipment available for the children to use and play with during the day. Low level open shelving units displaying the pre-school materials and equipment ensured the resources were freely available and easily accessible to the children at all times in each of the pre-school rooms. Sand trays and water play was available with a variety of sensory play materials provided for the babies and younger children. There was plenty of art and craft materials available including, paint, paper, crayons, play dough and materials for gluing, cutting and sticking for the older children.

The resources and materials facilitated all types of play and learning and encouraged each child to experiment and use their imagination.

Child sized tables and chairs were maintained in good condition in all rooms and ensured the children could sit comfortably for tabletop activities and when eating their meals and snacks. The tables and chairs in the younger care rooms were sized age appropriately and four highchairs were available for the babies. There was a pull to stand bar in the Wobbler room to encouraged gross motor development there was a range of stacking and interconnecting equipment and wooden jigsaws/ matching materials to engage the babies and toddlers.

### 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

The service had a healthy eating policy in place and the service provided the meals and snacks to the children attending on a full day care basis. A two week menu was displayed in the entrance hall of the service and all food was freshly prepared by the registered providers. The hot meals provided, as per the two week menu displayed,

was 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. Snacks included home made banana bread, carrot cake and scones, vegetable sticks and dips, crackers, fresh fruit pieces and toasted ham sandwiches. Drinking water was freely available throughout the day in each pre-school room and the older children were observed self-serving water from the drink station in the room.

Parents provided the morning snack for their child attending the sessional service and the staff members ensured all food provided was nutritious and suitable. During conversations with staff members, they advised they were very observant of any food provided that had the potential risk of choking and immediately halved or cut food into smaller pieces. The staff members also advised they encouraged healthy eating practices with the children and planned an area of the curriculum around healthy foods/eating. The children in the Toddler room were currently learning the 'vegetable' song as part of their healthy eating programme and the food pyramid was displayed at eye level to facilitate the children's interest and learning.

### 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 had 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 service.

The person in charge documented the inspectors visit to the service in the visitor's book on arrival.

Staff members in all rooms inspected, advised the inspector they would immediately remove any necklace/beads if observed that a child may be wearing same.

The service met the necessary safety requirements in respect of the indoor environment, toys and equipment and safe storage of cleaning agents. The person in charge completed daily indoor and outdoor risk assessments to ensure a safe play and work environment for both children and staff.

##### Infection Control:

Thermostatically controlled hot water, liquid hand soap and paper hand towel, hygienically dispensed from wall mounted units, were readily available for hygienic hand washing and drying. The staff members supervised children's handwashing and handwashing routines were well established and observed.

Foot pedal operated bins were provided for the disposal of used tissues, paper towel, nappies and waste. Plastic aprons, disposable gloves and nappy sacks were available for hygienic nappy change practices.

Written cleaning schedules were maintained for the room environments which were observed to be maintained in a clean and hygienic condition.

**Administration of Medication:**

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

**Safe Sleep:**

The staff member, 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 sleep room environmental temperature was recorded at 20°C at 11:30am to ensure a comfortable and safe sleeping environment for the children.

**Fire Safety:**

Staff advised that regular fire drills take place and all fire exits on the premises were easily recognisable and unobstructed.

Outings do not take place from the service as confirmed by the registered providers.

### 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)

A number of staff members were trained in First Aid Response (FAR) and were immediately available to the children attending the service.

(2)(a),(b)

The first aid box was suitably equipped and stored in a conspicuous position in the service and immediately available for the children at all times.

### 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 which were completed monthly in the service, the last recorded fire drill took place 15 March 2024.

(b)

A record was kept of the number, type and maintenance of the firefighting equipment and fire detection system in the premises and were last serviced 8 April 2024 and 27 March 2024 respectively.

(4)

Notices of the procedures to be followed in the event of a fire were conspicuously displayed in the service.

## 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

Children were observed being supervised at all times throughout the inspection by the staff caring for them including snack time, during periods of sleep and in the sanitary areas.