

# Early Years Inspectorate Regulatory Report

## Pre School

**TUSLA Identifier:** TU2015KK009

**Name of Service:** Eden Childcare Kilkenny

**Address of Service:** Unit 4, IDA Business Park, Loughboy, Kilkenny, Co. Kilkenny

**Eircode:** R95 NY49

**Name of Registered Provider:** Aine Russell

**Service type:** Full Day, Sessional

**Date of Inspection:** 05/12/2024

<b>No of pre-school children:</b>	AM	80	PM	59
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**Address of the Early Years Inspectorate:** Tusla Child and Family Agency,  
Early Years Inspectorate, Ely Hospital, Ferrybank,  
Wexford.

**Inspection undertaken by:** E Mc Garry, C Ryan

**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

### Description of service

Eden Childcare Kilkenny is a purpose-built childcare service which is situated in the IDA Business Park in Kilkenny city. The service provides an Early Years Care and Education (ECCE) programme, part time and full daycare childcare services for preschool children from 1 to 6 years of age. The service is open from 08:00 to 18:00, Monday to Friday. The service has six preschool rooms, Toddler room one, Toddler room two, Pre-Montessori room, Playschool room, Naíonra and Montessori room. There are toilets, nappy changing facilities, three designated sleep rooms, an entrance hall, and a large outdoor play area to the rear of the service. There is an onsite kitchen where meals and snacks are prepared for the children. The service also provides a school age service.

### Staffing

The service employed a total of 19 staff, including the registered provider. There were 18 staff who held an award in Early Childhood Care and Education at Level 5 or above on the National Qualifications Framework.

### 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.

Regulation 9 Management and Recruitment (1) (2) (a) (b) (c) (d) (4),

Regulation 11 Staffing levels (1) (2),  
Regulation 15 Record of preschool child,  
Regulation 17 Information for parents,  
Regulation 21 Equipment and Materials,  
Regulation 22 Food and Drink,  
Regulation 23 Safeguarding Health, Safety, and Welfare of the Child,  
Regulation 25 First aid (1) (2) (a) (b),  
Regulation 26 Fire Safety (1) (a) (b) (4).  
Regulation 28 Insurance.

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, 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)(b)

The manager was the designated person in charge on the day of the inspection and remained in the service for the duration of the inspection. The registered provider arrived later on the morning of the inspection and was available to facilitate the inspection.

(2)(a)(b)

Following a discussion with the manager and on review of documentation, it was established that there were 19 staff employed in the service including the registered provider. All staff files were reviewed on the day of inspection. There were 27 required written references available on file for staff members and the registered provider.

(c)

There was evidence of Garda vetting available on file in the service for all staff members. The service had demonstrated compliance with the Early Years Inspectorate Regulatory Notice to renew Garda vetting every 3 years for all staff.

(d)

Police vetting was available on file for four staff members who had lived in a state other than Ireland for a period of longer than six consecutive months.

(4)

Eighteen staff who were working directly with the preschool children held a major award in Early Childhood Care and Education at Level 5 or above on the National Qualifications Framework.

## Non-Compliance Information

(2)(a)(b)

1.

There were five references available on file in the service for staff currently working in the service which were not validated. All references are required to be validated prior to staff commencing work in the service.

2.

There were two staff members who had only one reference available on file. These references were not validated. All staff are required to have two validated references on file prior to commencing work in the service.

3.

There was one staff member working directly with the children whose qualification did not adhere to an award in Early Childhood Care and Education at Level 5 or above on the National Qualifications Framework.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

1.2.

All required written and validated references are now available on file in the service.

3.

The staff member in question is now working in the kitchen and is no longer working directly with the preschool children.

## Supporting documentation submitted

1.2.

Copies of all the required written and validated references were received by the inspector.

3.

No evidence received.

## Summary Comment

The response and evidence submitted is satisfactory to meet The Child Care Act 1991 (Early Years Services) Regulations 2016.

## 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 was an adequate number of staff working directly with the children at all times for the duration of the inspection.

(3)

In the morning there were 80 children with 11 staff.

In the afternoon there were 59 children in the care of 10 staff.

The registered provider and the manager were available during the day of inspection and were available to assist across the rooms as required.

### 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.*

#### Compliance Information

A sample of 12 children’s enrolment forms completed by the parents were reviewed as part of the inspection process and were found to contain all the information required under parts (a) – (i) of this regulation.

### Part IV – Information and Records

#### Regulation 17 – Information for parents

*A registered provider shall ensure that a parent or guardian of a child proposing to attend the service is provided with the information referred to in subparagraphs (a) to (g) of Regulation 16(1).*

#### Compliance Information

The service had a website for parents with information about the service including contact details and the curriculum. Parents are emailed information regarding policies and procedures on enrolment.

## 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

All rooms were resourced with materials and equipment for children to learn and play in the service. Play materials included a large range of developmentally appropriate Montessori equipment, arts and crafts materials and other open-ended materials which were well organised and easily accessible to children.

The pre-Montessori room was equipped with a home corner which had open ended material such as empty milk cartons and boxes for children to play with. There was a large dolls house. Staff had put up a Christmas tree in the corner of the room and there was fairy lights illuminated on the afternoon of the inspection which created a relaxing atmosphere for the children.

Original artwork was displayed on the walls of many of the rooms. For example, in the playgroup room there were handprints of the children which they had coloured green and shaped in to the tops of trees. There was also a collection of shapes of people holding hands which the children had stuck eyes onto called “Our friendship chains”.

In the Naoinra room children were practising their Christmas songs for their Christmas play. The artwork displayed the current seasonal theme and children’s interest. Children had planted bulbs in pots which were displayed in the nature corner.

In the Montessori room, the children’s kitchen contained open ended products for imaginative child lead play. The children with the help of the staff had created a large post box to post their letters to Santa. A bowl of fresh fruit was available on the shelf for the children.

In the toddler room two there were soft mats and push along toys. Activity trays were used for sensory messy play including painting handprints.

### 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 promoted healthy eating and had a healthy eating policy. All snacks were prepared in the service. Meals were prepared by a chef employed directly by the service. The dinner was served at mid-day and consisted of fish fingers, beans and mashed potatoes. There was a plentiful supply and children who wanted extra servings were given extra portions. The children were served hummus, bread sticks, cucumber and yogurt in the afternoon. The food provided was prepared and served to meet the stages of development of the children. For example, the food for younger children was a mashed/lumpy texture and the older children's dinner was served whole.

Staff in the toddler room ensured children had access to beakers of water to always drink. The meals were served at child sized tables in the rooms. Staff sat with the children chatting to them and giving them assistance if required. Children in the toddler room had washable bibs supplied to them and were helped wash their hands and faces when they finished their meal.

### 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

Access to the service was gained through the front door which was made of glass. There was an intercom system which was also linked to the reception area. Staff could see who was seeking to gain access to the service. The openings of the windows were restricted with appropriate restrictive opening devices. All radiators were thermostatically controlled and were purpose built to include protective coverings. The fire doors were not obstructed.

#### Infection Control

The service appeared to be clean with no maintenance required. Staff were observed to be vigilant helping children to wash their hands at various stages on the day of inspection.

For example, before eating, after messy play and after toileting. Nappy changing procedures observed on the day were in line with the services nappy changing policy. There was warm running water, liquid soap and paper hand towels available for hand drying throughout the service. Staff were seen to attend to children's personal hygiene during the day. Mouthing toys and soothers were washed and sterilised daily. The nappy changing policy was on display in the nappy changing unit next to the toddler room.

### **Administration of medication**

There was an administration of medication policy. The staff showed the inspector the procedure to follow when a child required administration of medication. Administration of medication was recorded on the service's tablet.

### **Safe Sleep**

The service had three designated sleep rooms, one located within Toddler room one and two located on the corridor adjacent to the main entrance. The different sleep rooms were equipped to meet the different ages and needs of the children, for example the sleep room in the toddler room had cots and one of the sleep rooms was equipped with sleep mats for older children. Individual bed linen was available, which was laundered as needed. Staff were observed to be vigilant in observing and recording sleep observations on the sleeping children including colour, position and breathing rate and the optimum sleep room temperature. The staff were observed to remain in the rooms with the children until they settled to sleep. Staff played gentle music in the rooms to create a calming atmosphere for the children.

### **Non-Compliance Information**

1.  
Medications which were supplied by parents were not stored securely in a designated area inaccessible to children. In two playrooms, large amounts of antifebrile medication were stored in the fridges which were easily accessible to the children.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

The medication has been removed from the fridges in both preschool rooms. Locks have been ordered for both fridges. The locking of each fridge has been added to the daily risk assessment which is carried out in each room. This risk assessment is recorded on the mobile phone app which is in place in the service.

#### Supporting documentation submitted

A photo of the fridge lock which has been ordered was received by the inspector.

#### Summary Comment

The response and evidence submitted is satisfactory to meet The Child Care Act 1991 (Early Years Services) Regulations 2016.

### 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)(b)

There was a suitably equipped first aid box stored in an easily accessible position on the premises and was available to the children attending the preschool service.

#### Non-Compliance Information

(1)

There was no person trained in a first aid responder course available to the children on the morning of the inspection. The staff member trained in a first aid responder course arrived at the service at 12:30 on the day of the inspection. It is acknowledged that eight staff had training in pediatric first aid. The national standard requires that children attending a preschool service have access to a person trained in a first aid responder course at all times.

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

#### Corrective and Preventive Action

Three members of staff are due to attend a First Aid Responder course in March 2025. The registered provider will ensure compliance going forward by including a check list in the staff files of when the staff members First Aid Responder course expires and is due for renewal.

#### Supporting documentation submitted

Documentation from the registered provider was received confirming staff will be attending a First Aid Responder course. This is to ensure the national standard which requires that children attending a preschool service have access to a person trained in a first aid responder course at all times is maintained in the service.

#### Summary Comment

The response and evidence submitted is satisfactory to meet The Child Care Act 1991 (Early Years Services) Regulations 2016. This regulation will be reviewed on the next inspection.

### 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 firefighting 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)

There was a record of fire drills that had taken place in the service. The last recorded fire drill had taken place in the service in December 2024.

(b)

There was a record available on file stating the firefighting equipment was last serviced in December 2023 and smoke alarm was last serviced in June 2024.

(4)

There was a notice of the procedures to be followed in the event of fire displayed in a conspicuous position in the main entrance of 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 insurance in place to cover the children who were present on the day of inspection.