

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015KK040		
<b>Name of Service:</b>	Kells Resource Centre Ltd.		
<b>Address of Service:</b>	Kells Childcare Centre Ltd., Kells, Co. Kilkenny		
<b>Eircode:</b>	R95 VFV0		
<b>Name of Registered Provider:</b>	Deirdre Knox		
<b>Service type:</b>	Full Day		
<b>Date of Inspection:</b>	26/06/2023		
<b>No of pre-school children:</b>	AM	34	PM 24
<b>Address of the Early Years Inspectorate:</b>	Tusla Child and Family Agency, Early Years Inspectorate, Ely Hospital, Ferrybank, Wexford		
<b>Inspection undertaken by:</b>	E Mc Garry and L Magee		
<b>Title:</b>	Early Years Inspectors		
<b>Authority to Inspect</b>			
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>	Not applicable		

### Description of service

This full daycare service is located in a rural setting in the village of Kells, Co Kilkenny. An early years service is provided to children aged 6 months to 6 years of age. The service is open from Monday to Friday between 8.00 pm and 6.00 pm (including a sessional service from 9.30 am to 12.30 pm for 38 weeks of the year). A school age service is also provided. The premises, a purpose-built childcare facility, consists of four early years rooms; a baby room, toddler room, preschool one located downstairs and preschool two located upstairs. The service has an onsite kitchen and outdoor play areas to the rear and side of the service.

### Staffing

There were 12 staff present on the day of inspection and of these, 10 were working directly with the children. The service employs a cook who cooks daily in the service. There was also a person who works in administration in the service who does not work directly with the children.

### 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 inspections may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations:

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

Regulation 11 Staffing levels (1) (2).

Regulation 19 Health, Welfare, and Development of the Child (1) a, b.

Regulation 23 Safeguarding Health, Safety, and Welfare of the Child

Regulation 25 First Aid (1) (2).

Regulation 26 Fire Safety (1) (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.

### Additional Information

An immediate action notice was issued to the registered provider on the day of inspection in relation to regulation 23 - safety. The temperatures recorded in the sleep rooms on the day of inspection were recorded as higher than 20°C when the children were sleeping. Safe sleep guidelines recommended by the Health Service Executive (HSE) require that the temperature of the sleep rooms for children are maintained between 16°C-20°C at all times when the children are asleep. It is acknowledged by the inspector that the registered provider responded to the immediate action on 3 July 2023 and addressed the non-compliance found on the day of inspection.

### Acknowledgments

The inspector wishes 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

(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.

(2)

Following a discussion with the manager and on review of documentation, it was established that there were 15 staff employed in the service, including the manager. All 15 staff files were reviewed on the day of inspection.

(a)

There were 26 written and validated references available on file from past employers.

- (b)  
There were 3 written and validated references available on file from reputable sources.
- (c)  
There was Garda vetting available on file in the service for all 15 staff members.
- (d)  
There were police vetting available on file for two staff members who had worked in a state other than Ireland for a period of longer than six consecutive months.
- (4)  
All staff working directly with the early years children held at least a major award in Early Childhood Care and Education at Level 5 on the National Qualifications Framework.

## Non-Compliance Information

- (2) (a) (b)  
There was only one written and verified reference available for one staff member where two were required.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

There are now two written and verified references available on file for the staff member. The service will ensure all required written and verified references are available on file in the service prior to staff starting work in the service in the future.

### Supporting documentation submitted

A copy of one written and verified reference was received by the inspector.

## Summary Comment

The registered provider's response and evidence submitted meets the requirements of the Childcare 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.*

*(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.*

### Compliance Information

(1)

There was an adequate number of staff always working directly with the children during the inspection.

(2)

#### **Baby room**

At 10.05 am there were 3 children aged under 1 years and 4 children between 1 and 2 in the care of 3 staff.

At 2.30 pm there were 3 children aged under 1 years and 4 children between 1 and 2 in the care of 2 staff.

#### **Toddler room**

At 10.08 am there were 9 children aged from 2 to 3 years of age in the care of 2 staff.

At 2.33 pm there were 7 children from 2 to 3 years of age in the care of 1 staff.

#### **Preschool 1 downstairs**

At 10.10 am there were 7 children aged from 3 to 6 years in the care of 1 staff.

At 2.38 pm there were 3 children aged from 3 to 6 years in the care of 1 staff

#### **Preschool 1 Upstairs**

At 10.12 am there were 11 children aged from 3 to 6 years of age in the care of 2 staff.

At 2.39 pm there were 7 children aged from 3 to 6 years of age in the care of 2 staff.

### 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-*

*(a) each child's learning, development and well-being is facilitated within the daily life of the pre-school service through the provision of the appropriate activities, interaction, materials and equipment, having regard to the age and stage of development of the child, and*

*(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

(1)(a)

The manager ensured that each child's learning, development, and well-being was facilitated within the daily life of the service. Children were engaged in a variety of appropriate activities during the inspection including playing together in the outdoor areas, digging in the sand pit and enjoying story time with the staff.

Children were encouraged to be independent appropriate to their age and stage of development, for example, children were observed putting on their own sunhats before going out to play. Children in preschool one had their own bags in open shelved wooden lockers. Their bags were identified with their own picture placed above their lockers. Children were encouraged to put their sun hats back in their bags when they came in from playing in the outdoor area. Staff who spoke to the inspector said parents were asked to ensure children had sunblock applied before they came into the service in the morning. Children also had their own individual bottles of sunblock which was reapplied by staff later in the day.

The children in the baby room were observed moving freely, playing, and exploring their environment. Staff demonstrated warmth and sensitivity in their interactions with the children. They communicated with the children using soft and gentle tones and promptly comforting children when they became upset. The children's artwork was displayed on the walls. A variety of play materials with different colours, textures and shapes were available for the children to explore. These were stored and displayed at the children's eye level to promote independent access by the children. There was an outdoor area specifically for the baby room to the side of the service with artificial grass. A temporary shaded area was in place to protect the children from the sun.

During activities staff used opportunities to extend children's learning and development. Staff were observed playing with the children in the outdoor area. Staff were observed to be constantly engaged with the children in their care in the outdoor area.

The younger children were observed playing in the outdoor area directly to the rear of the service. This area was well planned and resourced with respect to the ages and stages of the children who were observed playing there. The area was covered with artificial grass. Of note was a large sand pit which had wooden beams built into the edges of the pit. The beams allowed the children to sit comfortably while they were digging. The pit was covered with a large umbrella. Staff who spoke to the inspector said this umbrella also provided shelter for the children when it was raining.

The materials and equipment available included a large range of developmentally appropriate Montessori equipment, arts and crafts materials and other open-ended materials. The play equipment in the service was well organised and easily accessible to the children. The inspector observed that all the early years rooms were developed with care and attention, for example the toddler room had a wooden structure with steps, a ramp and a small bridge for children to play on.

### 1(b)

The manager had ensured that appropriate and suitable care practices were in place. Staff in the toddler room had displayed a care plan for one child. This care plan included the child's preferred choices as communicated by their parents. Older children were supported to use the toilet independently and were encouraged to wash their hands afterwards. Care was given to children's appearance. There was a mirror in preschool room one downstairs. Staff who spoke to the inspector said this mirror was used to teach children how to clean their noses while they looked at themselves in the mirror. The children's hands were washed before their dinner at 12.00 pm in the toddler room.

Children were well supervised in the outdoor area to the side of the service. Staff were observed by the inspector engaging with the children at all times while they were playing. Some children were playing with the leaves from the green bushes in the area, some children were riding on bikes that could accommodate up to three children at a time and other children were observed using their imaginations to play a game of tag.

The inspector observed that both sleep rooms were dimly lit and well ventilated. Child led sleep was observed in the baby room. Children were observed to settle to sleep quickly in the toddler room when given appropriate support by staff. Staff in the toddler room kept notebooks on information in relation to the child's day. The notebooks were given to parents daily. Staff who spoke to the inspector said this was to keep the parents informed of their children's daily care in the service.

The children in the baby room were observed enjoying nutritious food regularly. Snacks were either sent in from home or supplied by the service. A hot meal was given to all the children. Extra food was available if requested. Bibs were provided to the children to protect their clothes from becoming soiled and wet. Staff sat with the children and supported them to feed themselves. This encouraged positive behaviour and supported healthy eating habits. Water was offered with food and was always available to the children in the room. The children's nappies were changed regularly, and staff interacted attentively with the children. The children were supported to remove their outer clothes and shoes prior to sleep time. Child led sleep was observed in the baby room.

### Non-Compliance Information

(1)(b)

Children were observed drinking large quantities of juice which had been provided by parents. One child was observed drinking juice from a bottle. This practice posed a risk of dental decay to the children and was contrary to the healthy eating policy of the service and nutrition standards for early learning and care.

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

#### **Corrective and Preventive Action**

The healthy eating policy has been revised and shared with the parents. The service will now offer only milk or water to drink for the children. Staff will continue to check the children's lunch boxes and remind them of the importance of healthy eating in the service.

#### **Supporting documentation submitted**

The healthy eating policy was received by the inspector.

### Summary Comment

The registered providers response and evidence submitted meets the requirements of the Childcare Act 1991 (Early Years Services) Regulations 2016.

### 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

The manager had taken the following steps to ensure the safety of the children attending the service.

##### General safety:

Access to the service was gained through the front door directly beside the office. There was a call bell system in place where parents rang the bell to gain access to the service. Staff could see who was seeking to gain access to the service.

##### Infection control:

The service appeared clean on the day of inspection. Cleaning templates were available in the service to document the regular cleaning of the early years rooms and toilet areas. There were fridges available in the service to store the perishable food provided by the parents for the children attending the ECCE scheme. All sinks for hand washing in the service were equipped with warm thermostatically controlled water, liquid soap, and foot operated pedal bins. The temperature of the hot water flowing from the wash hand basin in the toilets beside preschool room one downstairs was recorded at 35°C on the day of inspection. Both the indoor and outdoor environments for the children attending the baby room were maintained in a clean condition.

##### Safe sleep

The service had a safe sleep policy. The sleeping children's colour, breathing and position were observed and recorded every 10 minutes on the day of inspection.

#### Non-Compliance Information

1.  
Children in the baby room did not wash their hands before eating, after using the toilet or after outdoor play. This practice posed a risk of cross infection in the service.
2.  
Staff in the baby room were observed wearing the same gloves throughout the nappy changing procedure. This practice did not adhere to the service nappy changing policy and posed a risk of cross infection in the service.

3.  
Snacks were given to the children in the baby room directly onto the tables instead of using plates. This practice posed a risk of cross infection in the service.

3.  
During the inspection, the room temperatures recorded in the baby and toddler sleep rooms were all above the recommended range of 16-20°C while the children were sleeping. The temperatures recorded on the day of inspection are detailed below.

Room	Lowest recorded temperature	Highest recorded temperature	Temperature on room thermometer	Children sleeping
Baby room	21.8°C	22.7°C	20.6°C	Two children under 12 months and three children over 12 months
Toddler room	23°C	23.8°C	21.2°C	Five children over 24 months

The temperatures recorded while children were sleeping did not adhere to the service’s safe sleep policy, which states the temperature of the sleep rooms should be always maintained between 16-20°C when children are sleeping.

4.  
The service thermometers which were fixed on the walls of both sleep rooms were not accurate on the day of inspection. The temperatures recorded by both inspectors were consistently recorded as higher than the temperatures noted on the service’s own thermometers.

5.  
The registered provider did not ensure that regular fire drills were undertaken to provide for the safe evacuation of children in the event of a fire. Staff reported that no fire drills had been conducted in the service within the last 12 months. The absence of regular fire drills in the service posed a risk to the safety of the children attending the service.

## Action submitted by the Registered Provider

### Corrective & Preventive Action

1.  
A staff meeting was held to discuss the findings of the Tusla report. Staff were reminded of the services infection control policy including the hand washing policy.
2.  
The healthy eating policy was also reviewed, and plates are now provided for children to eat their snacks from.
3.  
Two air cooling fans have been purchased and are now in place in both sleep rooms.
4.  
The wall thermometers have been replaced with new thermometers.
5.  
Monthly fire drills are now carried out in the service.

### Supporting documentation submitted

1.  
Minutes of the staff meeting held was received by the inspector.
2.  
A copy of the healthy eating policy now in place in the service was received by the inspector.
3.  
A photograph of the air-cooling fans now in place in the sleep rooms was received by the inspector.
4.  
A photograph of the wall thermometers now in place in the sleep rooms was received by the inspector.
5.  
A copy of the recent fire drill carried out in the service on 21 August was received by the inspector.

## Summary Comment

The registered providers response and evidence submitted meets the requirements of the Childcare 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

(1)  
There was a person trained in first aid for children immediately available to the children attending the early years service.

(2)(a)(b)  
There was a suitably equipped first aid box stored in an easily accessible position on the premises which was available to the children attending the early years 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 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 template available in the service to record any fire drill that takes place.
  - (b) There was a record available on file stating the firefighting equipment was last serviced in March 2023
- (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.

### Non-Compliance Information

There was no record of the annual maintenance of the smoke alarm in the service.

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

#### Corrective and Preventive Action

A record of the annual maintenance of the smoke alarm in the service was received. The last maintenance on the smoke alarm in the service was carried out on 15 March 2023.

#### Supporting documentation submitted

A copy of the annual maintenance of the smoke alarm was received by the inspector.

### Summary Comment

The registered providers response and evidence submitted meets the requirements of the Childcare Act 1991 (Early Years Services) Regulations 2016.