

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015KK042		
Name of Service:	Kilkenny Community Early Years Project		
Address of Service:	Bishop Birch Training Institute, Nuncio Road, Kilkenny, Co. Kilkenny		
Eircode:	R95 D8HT		
Name of Registered Provider:	Kylekani Joseph Mguni		
Service type:	Full Day, Part Time, Sessional		
Date of Inspection:	06/12/2024		
No of pre-school children:	AM	8	PM N/A
Address of the Early Years Inspectorate:	Early Years Inspectorate, Tusla Child & Family Agency, Athy Road, Carlow.		
Inspection undertaken by:	Norma Thornton		
Title:	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).			
Conditions if applicable	Not applicable		

Description of service

Kilkenny Community Early Years Project is a community registered preschool service located in a designated area of the Bishop Birch Training Institute on the Nuncio Road in Kilkenny city. The service is a registered full day childcare service which also provides part-time and sessional early childhood care and education (ECCE) services. The service caters for preschool children aged 2 to 6 years of age between the hours of 08:25 and 16:30 Monday to Thursday and 08:25 and 12:00 hours on Fridays for 48 weeks of the year.

Staffing

There were 12 staff members employed in the service. The registered provider does not work in the service. All staff members who as part of their role were employed to work directly with the preschool children held qualifications in early childhood care and education ranging from Level 5 to Level 9 on the national Quality and Qualifications Ireland (QQI) 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.

The inspection focused on assessment of compliance under regulations 9, 10, 11, 15, 16, 19, 23, 24, 25, 26 and 28.

A sampling process was used under regulations 10, 15, 23 and 24. The scope of the inspection included the outdoor area and the classroom on the day of inspection.

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 designated 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) There was a designated person in charge in the service for the duration of the inspection.

(b) The staff roster demonstrated that the designated person in charge or a named deputy designated person in charge, was always onsite while the service was in operation.

(c) A clear outline of the management of the structure was demonstrated in the service, staff were aware of the lines of authority, accountability, their roles and responsibilities in the service.

(2) Staff files for 12 staff members employed in the service were reviewed by the inspector.

(a)(b) Two validated references were available on file for each of the 12 staff members, from either a past employer or from a reputable source.

(c) Garda vetting certificates were available on file for each staff member. The registered provider demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d) Police vetting certificates were available for four staff members employed in the service, who had lived outside of the state for a period of longer than six months. Adequate evidence was provided on file for one staff member who had lived outside of the state for a period of longer than six months demonstrating that every attempt had been made to obtain a police vetting certificate.

(4) Certificates of qualifications were available for inspection, for each staff member, who as part of their role were working directly with the children, demonstrating that each staff member held at least a minimum Level 5 ranging to Level 9 qualification in early childhood care and education on the national QQI Framework.

Part III – Management and Staff

Regulation 10 - Policies, procedures etc. of pre-school service

A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.

Compliance Information

On review of the service's policies and staff files, the inspector was assured that the registered provider ensured that all required documents specified in Schedule 5, were available in the service and were communicated to the staff as part of their induction process on commencing employment in the service and revised annually at staff team meetings.

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) The inspector observed throughout the inspection that there were an adequate number of staff members working directly with the children. There were additional staff members who were supernumerary and available to provide support and to provide relief for staff breaks.
- (2) The following adult to child ratios were observed on the morning of the inspection.
There were 8 children aged 2 years and 8 months to 5 years present in the service with 4 staff members directly caring for them.
- (8)(a) On review of the staff roster and in discussion with the designated person in charge, the inspector was assured that there were always at least 2 adults on the premises while children were in attendance in the service.

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

(1) There was a registration form available in respect of each child enrolled in the service. A sample of 12 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 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:

- (a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor;
- (b) details of the class of service and the age profile of children for which the service is registered to provide services;
- (c) details of the adult:child ratios in the service;
- (d) the type of care or programme provided in the service;
- (e) the facilities available;
- (f) the opening hours and fees;
- (g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;
- (h) details of attendance by each pre-school child on a daily basis;
- (i) details of staff rosters on a daily basis;
- (j) details of any medication administered to a pre-school child attending the service with signed parental consent.
- (k) details of any accident, injury or incident involving a pre-school child attending the service.

Compliance Information

(1)(a) - (i) The inspector observed that documents required providing information for (a) to (h) were available for inspection and compliant under Regulation 16.

(j)(k) A sample of administration of medication records and accident and incident records maintained by the service were reviewed by the inspector and were found to be recorded in detail and in line with the service's administration of medication policy and Accident / Incident policy.

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)(b) Since the service's last inspection on 21 April 2021, the staff had redesigned the classroom by removing a partition and improving the flow of the physical environment. Appropriate and suitable child sized tables and chairs were provided at different points of interest in the classroom encouraging each child to choose activities or play equipment that they would like to use. Interest areas included a rest and reading area, dress up area, a bespoke wooden kitchen area, sensory play and water play tables/ troughs and an art and creativity table. Children were observed seated at different tables engaged in play with staff members, dressing dolls, talking about their plans for their day at the service. The inspector observed interactions between staff and children to be engaging and child centred, individual staff members spent time with children at different tables playing dolls, building with magnetic connectors drawing and painting, all the while encouraging and praising the children for their efforts. One child sat happily on a staff member's lap while the two of them sang a song in unison. At snack time, which the service provided, the staff and children sat together having a selection of fresh fruit, crackers and milk or water to drink while discussing the colours of the decorations on the Christmas tree which they had erected in the classroom.

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 service was secured with a keypad call system at the main entrance door. The outdoor play area in the service was surrounded with high wooden fence and wooden gate.

This helped to ensure that any unauthorised person was prevented from entering the premises and to prevent any child from exiting the service unsupervised.

All cleaning equipment and materials were safely secured in a designated storage area, away from and inaccessible to the children.

Infection Control:

The service had an adequate infection control policy in place. A separate handwashing, nappy changing and toileting policy were included, as part of the service's Infection Control policy.

Hand washing was observed to be carried out by both the staff members and the children present, prior to snack and mealtimes, after assisting with wiping noses, after toileting and after messy play.

Toileting was supported according to individual children's needs.

Cleaning schedules were available for review by the inspector and demonstrated that these were recorded daily by the staff present, as tasks were completed.

Administration of Medication:

Staff assured the inspector that they were informed of procedures and on how to administer any medication, in line with the service's policy on administration of medication. On review of a sample of an administration of medication record, the procedure details had been recorded specifically in line with the administration of medication policy in the service.

Safe Sleep:

The service had a small designated quiet room in which there was a supply of floor beds and appropriate bed linen provided for any of the children attending who wished to sleep or take a nap during their time at the service.

Outings:

The service had an adequate outings policy in place, to implement when taking children on an outing away from the service. The policy detailed the preparation, risk assessment and communication with parents/guardians prior to the outing, the precautions, and procedures to be taken prior to and during the outing and the procedures to be carried out in the event of an emergency.

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.

Compliance Information

(1) Children's daily attendance records were available for the inspector to review. It was observed that the staff recorded the checking in and out of each child attending the service daily, detailing each child's time of entry and exit to the service.

(3)(a) The designated person in charge and staff members present assured the inspector that no other person apart from children attending the service, parents/guardians dropping or collecting children, staff members could enter the premises without being approved by a staff member.

(b) The inspector observed that a daily record was maintained of any authorised visitors permitted entry to the service. The inspector was requested to record their entry to the service, which included the date, name, contact number, reason for entry, who approved the access and time of entry and departure

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 were five staff members employed in the service with current certification in the required first aid responder (FAR) training for children.

At all times while the service was operating, there were staff members with FAR training in attendance. On review of the staff roster the inspector was assured that there was always at least one staff member with FAR training onsite while children attended the service.

(2) (a)(b) A first aid box was available on a shelf in the office. Records demonstrated that the contents were checked monthly and replaced if necessary. The first aid box was always available to the staff and 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 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) A record of monthly fire drills carried out in the service was maintained by the designated person in charge. The last fire drill was recorded as having taken place on 4 December 2024.

(b) Records of the annual maintenance checks of the service’s firefighting equipment and fire alarm system were maintained. The last maintenance check for the firefighting equipment was recorded as having taken place on 28 February 2024. The last maintenance check for the fire alarm was recorded as having taken place on 15 October 2024.

(4) A notice of the procedure to be followed in the event of a fire was displayed inside the entrance door. A fire assembly point was clearly signed in the outdoor play area.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

An insurance certificate displaying adequate insurance for a full day childcare service for up to 30 preschool children was displayed.

The insurance certificate provided cover from 28 March 2024 to the 27 March 2025.