

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015KK059			
Name of Service:	Muckalee Community Project CLG			
Address of Service:	Clorinka, Ballyfoyle, Co. Kilkenny			
Eircode:	R95 YR26			
Name of Registered Provider:	Noel O'Brien			
Service type:	Full Day, Part Time, Sessional			
Date of Inspection:	28/03/2024			
No of pre-school children:	AM	38	PM	38
Address of the Early Years Inspectorate:	Early Years Inspectorate, Tusla Child and Family Agency. Athy Road, Carlow.			
Inspection undertaken by:	N. 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

Muckalee Community Project Childcare service is in the village of Clorinka, located in the parish of Muckalee in north county Kilkenny. The non-profit community service provides full day, part-time and sessional early childhood care and education childcare (ECCE) for children aged 0 to 6 years. The service operates from a purpose-built childcare facility between the hours of 07:30 and 18:00 hours. Four preschool classrooms are provided, a baby room, toddler room ECCE 1 and ECCE 2 rooms. ECCE room 1 was not in operation on the day of inspection. There are several outdoor play areas located on the grounds.

The service also provides a registered school age service.

Staffing

There were 17 staff members employed in the service, which included a designated chef, cleaner and office administrator. The registered provider does not work in the service. All staff members employed in the service held at least a minimum qualification at Level 5 ranging to Level 8 on the 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 an examination of compliance under regulations 10, 15, 20, 23, 24, 25, 26, 27, 28; however, on inspection additional non-compliances which posed a risk was identified under Regulation 29 These findings are outlined within the relevant regulation within this report.

A sampling process was used to assess compliance under the following regulations:

- 10 - Policies, procedures etc. of a pre-school service,
- 15 - Record of a Preschool Child,
- 20 - Facilities for Rest and Play,
- 23 - Safeguarding Health, Safety, and Welfare of child,
- 24 - Checking in and out and record of attendance,
- 25 - First Aid,
- 26 - Fire Safety Measures,
- 27 - Supervision,
- 28 -Insurance.

As a result, the scope of the inspection included the baby room, toddler room and ECCE room 2.

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 deputy 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.

Compliance Information

(1)(a) There was a deputy designated person in charge on the day of inspection.

(b) The designated person in charge on day of inspection confirmed that the designated person in charge was on leave and that there was also a second deputy designated person in charge, who can deputise as required.

(c) A clear outline of the management of the structure was available in the service, identifying the lines of authority, accountability, the roles, and responsibilities of individual staff members in the service.

(2) Staff files for 17 staff members employed in the service were reviewed by the inspector.

(a)(b) Two references were available on file for each of 14 staff members, 24 of which were validated, from either a past employer or from a reputable source.

(c) Garda vetting certificates were available on file, for each staff member working directly with the children.

However, the service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. Please refer to the information outlined under regulation 23 of this report.

(d) Police vetting was available for each of two staff members, who had lived outside of the state for a period longer than six months.

(4) Certificates of qualifications were available in each staff member's file, demonstrating that each staff member held a qualification at the minimum level 5 and above on the national framework of qualifications.

Non-Compliance Information

(2)(a)(b) Two validated references were not available for three staff members currently employed in the service. Four of the references available on file for two staff members had not been validated.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Missing references were either printed out from computer or staff brought in new ones where applicable. All referees were contacted to validate references.

Supporting documentation submitted

A new staff folder has been created to make it easier to see who is missing items from their file is. All irrelevant documents are kept separately.

Summary Comment

The actions submitted are appropriate to address the non-compliances. The implementation of these actions will be reviewed on next inspection.

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.

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 was an adequate number of staff members working directly with the children. The deputy designated person in charge was supernumerary and available to provide support in any of the three early years classrooms that were in operation and to provide relief for staff breaks.

(2) There were 8 qualified staff members directly caring for 38 children aged 18 months to 5 years of age throughout the inspection.

(8) The registered provider and management ensured that there were always at least two adults on the premises

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)(a) to (i) On review of a sample of 14 records of preschool children attending the childcare service, the inspector observed that the necessary elements (a) to (i) as required by regulation 15 (1) were all detailed and recorded for each child.

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 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 inspector observed that each of the three classrooms in operation on the day of inspection were well resourced with equipment and play materials to promote a stimulating play environment appropriate to the age of the children in attendance.

The Baby room contained a soft play area, sensory board, ballet bar and shatter proof mirror to encourage and develop the young children's movement and motor skills.

A soft rocking chair provided the staff with the opportunity to sit and comfort any of the children when needed. Other areas of interest appropriate to the children included a wooden kitchen, soft vinyl couch and low shelving which stored a range of treasure baskets and activity toys for the children to access.

The Toddler room prided areas of interest that included a rest and reading area, construction area, kitchen/home area and appropriately sized tables and chairs for the children. Low level shelving provided the children with access to play materials and resources which included jigsaws, peg boards, manipulative and connective bricks and magnets and small animal figurines.

The ECCE Room 2 contained a kitchen/home area which was well resourced with plat kitchen equipment and open-ended materials such as pots, pans and empty sterilised food containers provided by the staff. Areas of interest included a puppet theatre, dolls playhouses, rest and reading area, construction area, art and creativity area and a water play through with small world marine animals.

There were several outdoor play areas at the back and side of the premises, divided and secured by wooden fencing, high wire fencing and a child height wall surrounding a soft play area. Areas of interest included outdoor kitchens, construction areas and sensory play areas, ride on vehicles and balance bikes were provided.

(b) There were two designated sleep rooms provided in the service, one adjacent to the baby room and one adjacent to the toddler room. Three standard cots were provided in the toddler sleep room and four standard cots were provided in the baby sleep room. An additional two stackable beds for children aged over two years and three cocoon shaped floor beds were also available.

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 entrance to the service was secured with a keypad call system. Clear glass entrance doors allowed staff to visualise who was arriving at the service. All visitors other than children, staff and parents were requested to document their visit in the register at a table just inside the entrance.

This prevented unauthorised persons from entering the premises. A high door release switch on the inside of the entrance door prevented children from exiting the premises unsupervised.

The outdoor play areas were secured with a locked side gate and high surrounding wire fencing.

A daily risk assessment of the outdoor play area was carried out and a record maintained by the staff.

Infection Control:

The service had an infection control policy in place.

Toileting and nappy changing were supported and carried out in line with both the toileting and nappy changing policies available, as part of in the service's infection control policy,

Cleaning schedules were displayed in each classroom and demonstrated that these were recorded daily by the staff present.

Administration of Medication:

On review of a sample of six administration of medication records, staff were observed to carry out and record the procedure in line with the service's administration of medication procedure and policy. Both staff signatures were observed documented on records with parents/ guardians signature also recorded providing consent.

Safe Sleep:

Throughout the inspection the inspector observed that children were placed to sleep as per best practice safe sleep guidelines and in adherence to the service's safe sleep policy. Staff ensured that the sleep room was at the correct temperature, between 16-20°C, that the cots were checked and adequately spaced apart, children were placed to sleep, feet to the foot of the cot and on their backs. The staff carried out and recorded physical checks of sleeping children every ten minutes, recording each child's sleep position, colour and breathing.

Outing:

An adequate outings policy was in place in the service however the registered provider stated that presently outings were not operated outside of the service.

Non-Compliance Information

General Safety:

1. While Garda vetting disclosures were available for all staff, two of these were not dated within the previous three years in adherence with the Early Years Inspectorate Regulatory Notice EYI-RN12.3 Renewal of Garda Vetting.
2. The radiator cover in the hall between ECCE 1 and the toddler room was broken, posing a potential risk of injury to children and staff.
3. The pedal operated bin in the toddler room had been placed on a windowsill, out of reach of the children and posing the potential risk of a child pulling it down on themselves causing injury.

Infection Control:

1. At 10:55 hours the inspector observed the children from ECCE 2 come inside for their circle time. The children were observed to hang their coats and were then directed by the staff in the room to sit down. The children did not wash their hands after playing outside.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

All staff who were hired more than a year ago are re-submitting their Garda vetting, this is to ensure that all renewals fall within the same year.

The radiator cover was repaired by our maintenance man.

Infection Control:

Bin was moved to the floor in the room.

Spoke to staff and new handwashing guidelines and posters displayed.

Supporting documentation submitted

General Safety:

By syncing renewals, it is hoped to eliminate as much as possible human error and avoid any over sights.

We will also check vetting annually.

Radiator check added to the monthly cleaning schedule.

Infection Control:

Management spoke to staff to ensure they understood reasoning behind this.

All staff will be re trained at the next staff meeting on the importance of hand washing and correct handwashing

Summary Comment

The actions submitted are appropriate to address the non-compliances. The implementation of these actions will be reviewed on next inspection.

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.

(2) Where there are more than 15 children attending a pre-school service in a drop-in centre, the registered provider shall ensure that one employee or unpaid worker is assigned responsibility for the checking in and out of children.

(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) The inspector observed that as each child arrived to and was collected from the service, a staff member met with the child's parents and recorded the child's name and time of entry and departure from the service.

(3)(a) The inspector observed that only children attending the service, parents and staff members were permitted entry to the service, without prior approval by the deputy designated person in charge.

(b) All other visitors to the service such as contractors and the early years inspector were required to record and sign their time of entry and departure, under the supervision of the designated person in charge.

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 seven staff members with current certification in the required first aid responder training for children. At all times while the service was operating, staff members trained in FAR were in attendance. This was reflected in the staff roster reviewed by the inspector on the day of inspection.

(2) (a)(b) A first aid box was available in each classroom. The first aid boxes were easily accessed by staff when required. A record demonstrated that its contents were checked monthly and replaced if necessary.

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) There was a written record of the monthly fire drills that took place in the service. The last fire drill was recorded as having taken place on the 05 March 2024.

(b)The registered provider maintained a record of the number, type and maintenance of fire-fighting equipment and smoke alarms in the service. The last maintenance check of the fire-fighting equipment was recorded as having taken place in October 2023 and the smoke alarm system was recorded as having been serviced on 06 March 2024.

(4) The registered provider ensured that fire procedure notices were displayed in each classroom and in the entrance hall.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

There was a current insurance certificate for the service displayed on a notice board in the main hall. The insurance certificate detailed insurance cover for a full day care service provision for 90 early years children.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

*A registered provider shall ensure that the premises of the service are-
(d) cleaned, maintained and repaired, as required,*

Non-Compliance Information

1. A brown discoloured damaged ceiling tile was observed by the inspector in the toddler changing room, which was previously identified on inspection on the 14 February 2023, had not been replaced.
The inspector observed that there were several other brown stained tiles on the ceiling of the toddler room which had not been maintained.
2. In the small artificial grass covered area provided for the young children in the baby room, the inspector observed that they artificial grass was sodden with water. Therefore, the children could not crawl on it and the sodden surface posed a potential risk of infection to the children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The tiles in the toddler changing area were replaced after the last inspection (as per our CAPA 2023) upon further investigation our new maintenance worker found a small leak in the vent pipe which caused the re staining, this issue was resolved and new tiles inserted. He also did a walkthrough of the building and replaced any other stained tiles.

The artificial grass is being removed from the baby area and new outdoor tiles have been ordered for the area. It is hoped these will drain better.

Supporting documentation submitted

Maintenace worker is going to inspect the roof tiles twice a year winter and summer to ensure no more marks appear.

Monitor water retention in this area.

Summary Comment

The actions submitted are appropriate to address the non-compliances. The implementation of these actions will be reviewed on next inspection.