

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015KK059			
<b>Name of Service:</b>	Muckalee Community Project CLG			
<b>Address of Service:</b>	Clorinka, Ballyfoyle, Co. Kilkenny			
<b>Eircode:</b>	R95 YR26			
<b>Name of Registered Provider:</b>	Noel O'Brien			
<b>Service type:</b>	Full Day, Part Time, Sessional			
<b>Date of Inspection:</b>	16/04/2025			
<b>No of pre-school children:</b>	AM	33	PM	22
<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, Tusla Child & Family Agency, Athy Road, Carlow.			
<b>Inspection undertaken by:</b>	Norma Thornton			
<b>Title:</b>	Early Years Inspector			
<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

Muckalee Community Project Childcare is a registered community childcare service located in the village of Clorinka, in the parish of Muckalee in north county Kilkenny. The service is open between the hours of 07:30 and 18:00 hours, Monday to Friday, excluding bank holidays, Good Friday and closing for two weeks at Christmas. This non-profit community service is governed by a voluntary board of management and provides full day, part-time and sessional early childhood care and education childcare (ECCE) for children aged 0 to 6 years. The service is also registered to provide a school age service. The service operates from a purpose-built childcare facility which contains four preschool classrooms, a baby room, toddler room, ECCE 1 and ECCE 2 classrooms. There are several outdoor play areas provided on the grounds which are designated to the different age groups that attend the service.

### Staffing

There were 20 staff members employed in the service, which included 15 preschool staff, 2 staff members for the school age service, a chef, cleaner and office administrator.

The registered provider does not work in the service.

All 15 staff members employed in the service, who as part of their role work directly with the preschool children, 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 9, 11, 19, 22, 23, 24, 25, 26, and 28.

A sampling process was used to assess compliance under regulations 19, 22, 23, and 24.

Inspection findings are documented in the inspection report which is first issued in draft format to the service with an opportunity to respond to any findings. Where statutory requirements are identified as not being met, the registered provider must demonstrate how they have rectified the non-compliance and will prevent any non-compliance from re occurring. The Corrective Action and Preventive Action plan (CAPA) will be used to inform decisions about compliance with regulatory requirements. Where the registered provider fails to meet the statutory requirements an escalation process may be commenced.

The inspectorate reserves the right to edit responses received for reasons including clarity, completeness and compliance with administrative and legal processes.

The contents of the report are compiled by the inspectorate body.

## Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered provider, 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 designated person in charge on the day of inspection and a second named deputy designated person in charge to deputise when required.

(b) Both the designated person in charge and the deputy designated person in charge, who can deputise as required were present in the service throughout the inspection.

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

A visual of the management structure was displayed on the notice board in the main entrance hall for parents and visitors to the service to see.

(2) Staff files for 20 staff members employed in the service were reviewed by the inspector.

(a)(b) Two references were available on file for each of the 20 staff members and for the registered provider.

(c) Garda vetting certificates were available on file, for each of the 20 staff members and for the registered provider. The service also demonstrated compliance with the Early Years Regulatory Notice requiring services to renew Garda vetting every three years.

(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 of the 15 preschool staff files, demonstrating that each staff member, whose role in the service, was to work with the preschool children, held a qualification at the minimum level 5 and above on the national framework of qualifications.

### 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 preschool children.

The designated person in charge and an additional relief staff member were supernumerary and available to provide support in any of the four early years classrooms and to provide relief for staff breaks.

(2) On the morning of the inspection there were 8 qualified staff members directly caring for 33 children aged 1 to 5 years of age.

Throughout the afternoon there were 6 preschool staff directly caring for 22 preschool children aged 1 to 5 years of age.

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

### 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.

(3) A registered provider shall ensure that no practices that are disrespectful, degrading, exploitive, intimidating, emotionally or physically harmful or neglectful are carried out in respect of a pre-school child whilst attending the service.

#### Compliance Information

(1)(a)(b) Throughout the five classrooms the inspector observed that children were comfortable and familiar with their surroundings and daily routines. The older children in the ECCE room confidently showed the inspector the interest areas that they were most interested in and demonstrated some of the manipulative toys and play equipment which they had mastered. Other children confidently explored interest areas such as the dress up area and home areas playing imaginatively and immersing themselves in role play while the staff supported them through extending conversations about the story lines that they were acting out.

The staff in the rooms supported children in their choices of play and only intercepted at times that some conflict was required to be resolved, which the staff gently facilitated for the children to resolve with each other themselves.

The inspector observed that children were able to independently access the adjacent toilet facilities by themselves and were familiar with washing their hands after using the toileting. Where required children that required assistance with going to the toilet did not hesitate in asking for help which was promptly responded to. In the younger children's classrooms, as children got tired, staff quickly responded comforting them and quietly reassuring them as they prepared them for nap time. Children's nappies were changed as required with children's hands and faces being washed post nappy changing and mealtimes to ensure that children were clean and comfortable.

The inspector observed that the service as part of its drop off and collection policy, encouraged parents to drop off and collect their individual children from the door of the classroom. This helped to ensure that each child was accompanied and supervised by their parent /guardian once they left the classroom.

(3) The children were spoken to by the staff in clear calm soft voices, with staff members observed to position themselves at the child’s level while listening and responding to them. Children were respected if they didn’t want to go and have their nappies changes but in the best interest of their care, eventually encouraged to by gentle explanation and persuasion.

Children were observed to happily go into the arms of their carers, as they went to get their nappies changed or wanted hugs and cuddles before nap times or for comfort. Staff demonstrated to the inspector that they were well informed of the service’s child safeguarding policy and of ensuring that appropriate positive behaviour strategies were implemented in the service.

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

#### Regulation 22 – Food and drink

*A registered provider shall ensure that adequate and suitable, nutritious and varied food and drink is available for each pre-school child attending the pre-school service.*

#### Compliance Information

The service had a chef employed in the service and a kitchen area for storage and preparation of food and meals. Drinking water stations were available in each of the classrooms and staff were observed to ensure that the younger children had frequent opportunities to have a drink of water and were aware where their individual drinking containers were located.

Older children demonstrated that they were familiar with getting their bottles from the water station whenever they wished or pouring themselves a glass of water when they wanted.

There was a refrigerator in each classroom to store jugs of cold water and extra food items such as yogurts and fruit if a child was hungry in between meals. Children’s snacks bought from home were also refrigerated. A supply of rice cakes was also available in each classroom.

Child sized plates, cups and cutlery were available in the classrooms.

Staff and children informed the inspector that a breakfast of cereals, milk, toast and fruit was offered to children that arrived early in the morning to the service.

Children were observed to enjoy healthy food options for their snack which they bought from home, in line with the service’s healthy eating policy.

At dinner time, children were observed to enjoy a homemade pasta dish with broccoli, grated cheese and fish fingers. Staff were observed to support children at mealtimes, helping younger children with feeding and encouraging them at the same time to practice using utensils. Children who cleared their plates were offered extra food if they wanted some, while one child who didn't like the past dish was provided with an alternative option of soup and a toasted sandwich.

A menu plan providing a variety of food options on a weekly basis was provided by the service and displayed on the parent's notice board.

Dinner meals included options such as spaghetti bolognaise, chicken curry, beef stew, roast beef, shepherd's pie or bacon and cabbage.

Evening meals offered included chicken soup with brown bread, a selection of jam, ham and cheese sandwiches, sausage rolls, homemade pizza, "special hot dogs" (hotdogs with beans and grated cheese mix), vegetable samosas, ham and cheese quesadilla or homemade scones with options of butter, jam, fresh cream, fruit and milk.

The chef informed the inspector that the menu plans were being revised in line with national nutrition standards for early learning and care services.

### 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 perimeter of the service was secured with a high green metal fence. The inspector observed that since the last inspection on the 23 September 2024, a designated staff smoking area had been provided in the car park, away from the childcare premises.

The main entrance to the service was secured with a keypad call system. Large clear glass entrance doors and classroom windows allowed staff to visualise any persons arriving to the service.

The position of the service on an elevated site also allowed staff to observe any traffic in and out of the service's carpark.

This assisted in preventing 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, wooden fencing and high wire fencing. Since the last inspection on 23 September 2024, the location of the septic tank had been secured with a five-foot high wooden fence to help prevent any children from accessing the area.

A daily risk assessment each class's outdoor play area was carried out by a designated staff member in each classroom and a record maintained of their findings. The inspector observed that the outdoor play area surfaces had been revised and replenished with new bark mulch since the last inspection.

New highchairs with five-point harness and foot supports had been recently purchased for the children in the wobbler room.

### **Infection Control:**

There was an adequate number of toilet and nappy changing facilities provided in the service to meet the needs of the preschool children in the service.

All sanitary facilities contained handwash basins, supplied with liquid hand soap and paper towelling, which the children could easily access and use. The preschool children's sanitary facilities were all found to be adjacent to their individual classrooms.

The older children were observed to use the toilet and hand washing facilities with independently.

Staff were observed to support and prompt the children to wash their hands correctly after using the toilet, after messy and outdoor play, and before snack and mealtimes.

Staff were observed to carry out nappy changing procedures in line with the service's nappy changing policy and in adherence with the service's hand washing and infection control policy.

### **Administration of Medication:**

On review of a sample of five administration of medication records the inspector observed that staff in the service implemented the service's administration of medication policy correctly, when administering medicine, maintained records and child centred medical treatment plans where required.

### **Safe Sleep:**

There were two designated sleep rooms in the service, one adjacent to the wobbler room and one adjacent to the toddler room. Both rooms were maintained at a temperature of 16 °C and contained a total seven standard cots, and two cocoon beds. The inspector observed that staff cared for children while the used the sleep facilities in line with safe sleep guidelines and the service's safe sleep policy.

### Outing:

The inspector observed that a small number of preschool children went on an outing with two staff members to the community café, a short distance up the road from the service. Staff had implemented the service outings policy in preparing for the short trip.

### Non-Compliance Information

#### Infection Control:

1. The inspector observed that the nappy bin in the wobbler room required staff to use their hands to dispose of the nappy into the bin. This was not compliant with the Early Year's Inspectorate's regulatory notice to the sector requiring all nappy changing bins to be pedal operated and not requiring staff to touch the bins with their gloved hands. It is acknowledged that on the day of inspection the designated person in charge replaced the bin with a pedal operated bin.
2. The inspector observed that in the wobbler room there was a tear in a giraffe themed stool exposing the foam underneath. This did not allow for effective cleaning of the stool.
3. The upholstery on the rocking chair in the wobbler room was stained with discoloured patches of stain and required cleaning to reduce any potential source of infection.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

#### Infection Control:

The following actions were submitted by the registered provider.

1. The nappy bin was replaced with a pedal bin.
  2. The rocking chair was replaced with an armchair
  3. The sofa was replaced with a bigger sofa that is easy wipe and maintain clean
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1. The educators were reminded of the QRF practice so going forward only pedal bins are to be used for nappies and waste, at all times
  2. The new arm chair is now easy to keep clean as it is made of a wipeable material, the educators can just wipe it down as the stain/spills occur
  3. Replace the sofa as soon as tears become visible

### Supporting documentation submitted

#### Infection Control:

Photographic evidence of new wipeable couch, adult chair and new pedal bins.

#### 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.*

*(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.*

*(4) A registered provider shall ensure that a record in writing referred to in paragraph (3)(b) is retained for a period of one year from the date to which it relates.*

#### Compliance Information

(1) The designated person in charge and staff in each of the four classrooms demonstrated to the inspector that each pre-school child's daily attendance and departure times from the service were recorded.

(3)(a)(b) The staff in the service ensured that no other person other than a pre-school child, person dropping or collecting a child, employee or unpaid worker could enter the premises without their entry being approved by an employee.

Any authorised visitors to the service were required to record the date of entry, their name, contact number, reason for entry, name of person who approved access and check in and out times on the visitors record book located on a table at the main entrance.

(4) The current visitors record which was available on a table in the main hall, demonstrated to the inspector that a record of authorised visitors to the service had been retained since the 30 November 2022.

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

The staff roster demonstrated that there were at least four to five staff members with FAR training present each day while the children attended the service.

(2)(a)(b) A first aid box was available in each of the classrooms, in a clearly designated safe place. The first aid boxes were checked regularly and replenished as required.

### 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.*

*(2) The record referred to in paragraph (1) shall be open to inspection by-*

*(a) a parent or guardian of a pre-school child attending or proposing to attend the pre-school service,*

*(b) an employee, and*

*(c) an authorised person.*

*(3) A registered provider shall ensure that a record referred to in paragraph (2) is retained for a period of 5 years after its creation*

*(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) The following records were maintained.

(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 14 April 2025.

(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 for the fire-fighting equipment was recorded as having taken place in October 2024 and for the smoke alarm system was recorded as having taken place on 01 April 2025.

(2) The fire safety records were available and open for inspection by the early years inspector or by a parent / employee on request.

(3) The designated person in charge demonstrated that records were maintained for the five years prior to inspection.

(4) The registered provider ensured that a fire evacuation procedure notice was clearly displayed in the main 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 entrance hall. The insurance certificate detailed insurance cover for a full day care service provision for a maximum of 90 early years children and covered the period from 28 March 2025 to 27 March 2026.