

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015KK068		
Name of Service:	Nature Explorers Pre-school		
Address of Service:	Coolnabrune, Skeoughvosteen, Via Borris, Co. Kilkenny		
Eircode:	R95 CX47		
Name of Registered Provider:	Anne O Kelly		
Service type:	Part Time, Sessional		
Date(s) of Inspection:	08/09/2023		
No of pre-school children:	AM	15	PM 7
Address of the Early Years Inspectorate:	Tusla Child and Family Agency, Early Years Inspectorate, Ely Hospital, Ferrybank, Wexford		
Inspection undertaken by:	E Mc Garry		
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

This early years service is privately owned and operated service. The service is registered to provide a part-time service to 25 children aged 2 to 6 years of age. The service also operates an Early Years Care and Education Program (ECCE). The service operates from 9.00am to 2.00pm for 38 weeks a year.

Staffing

There are seven staff employed in the service including the registered provider. All staff working in the service had attained major awards in Early Childhood Care and Education at Levels 5 and above on the National Framework of Qualifications.

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) (2) (a) (b) (c) (d) (4),

Regulation 11 Staffing levels (1) (2),

Regulation 16 Record in relation to pre-school service (1)(a)

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) (a) (b),

Regulation 26 Fire Safety (1) (a) (b) (4).

Regulation 28 Insurance.

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

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

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

Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered provider, 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 registered provider 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 registered provider and on review of documentation, it was established that there were seven staff employed in the service, including the registered provider. All seven files were reviewed on the day of inspection.

(a)(b)

There was one written and validated reference available on file from one past employer.

(c)

There was evidence of Garda vetting available on file in the service for all seven staff members.

(d)

Police vetting was not required for six staff members who had not worked in a state other than Ireland for a period of longer than six consecutive months.

(4)

There was evidence on file that six staff working directly with the early years children held a major award in Early Childhood Care and Education at Level 5 and above on the National Qualifications Framework.

Non-Compliance Information

(2) (a)(b)

1. There were six staff in the service who did not have any written and validated references available on file in the service.
2. There was one staff member who had only one written and validated reference available on file when two were required.

(4)

There was no evidence on file that one staff member held a minimum of level 5 in Early Childhood Care and Education on the National Qualifications Framework.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider proposes to ensure all documentation required will be in place in the service prior to staff commencing employment in the service in the future. This is in line with the services recruitment policy which is in place in the service.

(2)(a)(b)

1. There are now 12 written and validated references available on file for the 6 staff in the service.
2. There are now two written and validated references available on file for the staff member.

(4)

The evidence is now on file in the service that the staff member holds an equivalent qualification in early childhood care and education at level 6 on the Education and National Qualifications Framework.

Supporting documentation submitted

1. Twelve written and validated references were received by the inspector for the six staff members.
2. Two written and validated references were received by the inspector for the staff member.

(4)

A copy of the staff members qualification was received by the inspector.

Summary Comment

The registered providers response and evidence submitted meets the requirements of the Child Care Act 1991 (early years services) regulations 2016.

Part III – Management and Staff

Regulation 11 - Staffing levels

(1) Subject to this Regulation, a registered provider shall ensure that there is at all times an adequate number of adults working directly with the children attending the pre-school service.

(3) Subject to paragraph (5), a registered provider of a sessional pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 2 of Schedule 6 opposite a particular reference number specified in column (1) of that Part in respect of the age range of the children specified in column (2) therefore at that reference number is satisfied.

Compliance Information

(1)

There were an adequate number of staff working directly with children attending the service.

(3)

At 10.30am there were 6 staff working directly with 15 children aged from 2 to 6 years of age. The registered provider was also available in the service on the day of inspection. At 1.10pm there were 7 children aged from 2 to 6 years of age in the care of 3 staff.

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.

Compliance Information

(1)(a)

There were six staff members in the service who had a record in writing of their previous work experience on file in the service.

Non-Compliance Information

(1)(a)

There was one staff member in the service who did not have a record in writing of their previous work experience on file.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider proposes to ensure all records of previous work experience will be maintained on file in the service for all staff. The staff members record in writing of their previous work experience is now available on file in the service.

Supporting documentation submitted

The staff members record in writing of their previous work experience was received by the inspector.

Summary Comment

The registered providers response and evidence submitted meets the requirements of the Child Care Act 1991 (early years services) regulations 2016.

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 registered provider ensured that each child's learning, development and well-being was facilitated within the daily life of the service. Staff who spoke to the inspector said the service was mostly based in the outdoor area. Children were engaged in a variety of activities during the inspection including eating together in the outdoor area, playing together and enjoying tabletop activities in the shade of a large tree. Interactions between children were well managed by the staff who were caring for them. For example, children were well supervised while climbing on to the tree house in the play area. Children were encouraged to share and take turns with each other. Children were encouraged to be independent appropriate to their age and stage of development, for example, by putting on their sun hats while in the outdoor area.

During activities staff used opportunities to extend children's learning by engaging them in topics the children showed an interest in. For example, children requested a particular game which involved matching egg shapes. Staff were observed to find the game quickly and help the children to enjoy the game.

The service had a large safe and secure outdoor area situated at the side of the main building. The area consisted of a large, grassed area surrounded by a fence. There was an area which consisted of a creative "dinosaur garden", a large colourful mud kitchen which was well resourced with pots, pans, and utensils. There was a tree house with a tyre swing and a rope ladder for children to enjoy challenging play and a track for ride on toys which had been laid out like a racetrack. There was a large Perspex roofed structure which enclosed a large sand pit with buckets, spades and small diggers. There was a pirate boat made of wood which children could stand up in. To the rear of the area the registered provider had created a shop called "the village shop" the area was resourced with

equipment for imaginative play such as a cash register. There was also an area called the garage with child sized tools, hard hats, and hi-visibility jackets.

The three early years rooms were well resourced with toys, equipment and materials which were easily accessible and visible to the children on open child-height shelves. There were areas of interest in all three rooms set up for the enjoyment of the children. There was a shop area, home corner with a cooker and washing machine. There was a good supply of plastic bricks and a large easel for children to use when painting. There were rest areas for the children which consisted of child sized couches, a soft floor mat and library books for the children to enjoy.

(1)(b)

Parents provided all meals and snacks for the children attending the service. Snack time was observed at 11.30am. Children enjoyed a variety of food such as sandwiches, fruit, yogurt and rice cakes. The children were encouraged to drink lots of water while playing in the outdoor area. Children were encouraged to use the toilet independently and given help when required. Children who required their nappies to be changed were responded to promptly.

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 gate. The gate was secured. Staff could see who was seeking to gain access to the service as there was a clear view of people approaching from the car park through the glass door. The outdoor play area was safe, suitable and secure. All cleaning agents were stored on shelves that were in accessible to children.

Infection control:

The service appeared clean on the day of inspection. There were fridges available in each of the early years rooms to store the food provided by the parents for the children. 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 the outdoor area was recorded at 33°C on the day of inspection. Children were observed washing their hands after using the toilets.

Non-Compliance Information

Infection Control:

1. Staff were observed helping children to wash their hands in a communal basin of warm water before their snack time in the outdoor area. This practice was not in line with best infection control practice. National guidelines recommend all children attending an early years service have access to warm thermostatically controlled running water for hand washing. This is to ensure effective hand washing to prevent cross infection in an early years service.
2. There were no toilet roll or paper hand towel dispensers available in the toilet next to the outdoor area. This posed a risk of cross infection in the service as children needed to handle the inside of the rolls to dispense the tissues after using the toilet.

Action submitted by the Registered Provider

Corrective & Preventive Action

1. Staff meeting was held. The registered provider discussed best practice guidelines in relation to infection control in early years settings as outlined in the services infection control policy.
2. A toilet roll dispenser and a hand towel dispenser has been fastened to the walls of the toilet next to the outdoor area.

Supporting documentation submitted

1. No evidence submitted.
2. A photo of the toilet roll dispenser and the hand towel dispenser now in place was received by the inspector.

Summary Comment

The registered providers response and evidence submitted meets the requirements of the Child Care Act 1991 (early years services) regulations 2016.

Part VI - Safety

Regulation 25 - First aid

(1) A registered provider shall ensure that a person trained in first aid for children is, at all times, immediately available to the children attending the pre-school service.

(2) A registered provider shall ensure that a suitably equipped first aid box for children-

(a) is safely stored in an easily accessible and conspicuous position on the premises, and

(b) is available to the children attending the pre-school service at all times.

Compliance Information

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

(2) A suitably equipped first aid box was available.

(a) It was stored safely in a conspicuous position in the early years service.

(b) The first aid box was always available to children.

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 in place in the service to record any fire drill that takes place in the service. The last fire drill carried out in the service was recorded in June 2023 when the service was last open.

(b)

There was a record available on file stating the firefighting equipment was last serviced in July 2023. The smoke alarm was last serviced in July 2023.

(4)

There was a notice of the procedures to be followed in the event of fire displayed in a conspicuous position beside the main entrance of the service

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

There was evidence that adequate insurance was in place for 25 children to attend the service.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-

- (a) of sound and stable structure,*
- (b) safe and secure,*
- (c) kept adequately lit, heated and ventilated*
- (d) cleaned, maintained and repaired, as required, and*
- (e) equipped with adequate and suitable sanitary facilities.*

Compliance Information

- (a)
The registered provider stated they were not aware of any structural deficiencies in the premises.
- (b)
The building was safe and secure.
- (c)
The lighting was a combination of natural lighting from several windows and there were also fluorescent lights available in the early years rooms. The radiators were covered with protective cabinets to prevent children from coming in to contact with the surfaces. The early years rooms were ventilated through openable windows.
- (e)
There were three toilets and three wash hand basins for use by the early years children. There was one staff toilet for the use of the staff in the service. There was a nappy changing unit available beside the acorn room. There was liquid hand soap, paper towels and pedal bins available at all sinks.

Non-Compliance Information

(d)

The floor covering in the toilet next to the outdoor area was made of concrete. This floor covering was not suitable to be adequately cleaned to provide adequate infection control in the toilet area.

Action submitted by the Registered Provider

Corrective & Preventive Action

A contractor was employed to provide a floor covering that could be adequately cleaned in line with best practice in infection control.

Supporting documentation submitted

A photograph of the new floor covering now in place in the toilet next to the outdoor area was received by the inspector.

Summary Comment

The registered providers response and evidence submitted meets the requirements of the Child Care Act 1991 (early years services) regulations 2016.