

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015KK076
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Name of Service:	Talbots Gate Childcare and Early Learning Centre Limited
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Address of Service:	31 Talbots Gate, Freshford Road, Kilkenny, Co. Kilkenny
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Eircode:	RD5 D577
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Name of Registered Provider:	Laura Fitzpatrick
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Service type:	Full Day, Part Time, Sessional
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Date(s) of Inspection:	21/11/2023
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No of pre-school children:	AM	54	PM	29
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Address of the Early Years Inspectorate:	Tusla Child & Family Agency, Athy Road, Carlow
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Inspection undertaken by:	N.Thornton
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Title:	Early Years Inspector
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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
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Description of service

Talbots Gate Childcare and Early Learning Centre is a full day care service located in the residential estate of Talbots Gate, off the Freshford road in Kilkenny city. The service caters for children from one to six years of age, operating from a two-story premises in the centre of the estate. The service operates from 07:45 to 18:00 hours Monday to Friday.

There are four preschool classrooms and a designated sleep room located on the ground floor and two preschool rooms, on the first floor which can be accessed through a separate entrance door at the side of the main entrance.

There is an outdoor play area contained at the back of the service.

Staffing

There were 12 staff members employed in the service, which included the registered provider and a chef. All staff members working directly with the children in the service held at least a minimum level 5 qualification in Early Childhood Care and Education.

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.

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

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

11(1)(2)(8)-Staffing Levels,

20(1)(a)(b)-Facilities for Rest and Play,

21-Equipment and Materials,

22-Food and Drink,

23-Safeguarding Health, Safety, and Welfare of child

As a result, the scope of the inspection included all the preschool rooms and the outdoor play area.

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
 - (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 always a designated person in charge. There was also a named deputy designated person in charge available to deputise as required.
- (b) The designated person in charge was always onsite during the inspection.
- (c) A clear management structure, outlining roles and responsibilities of each staff member in the service was documented and displayed in the service's reception area.
- (2) Staff files for 12 staff employed in the service were reviewed by the inspector.

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

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

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

(3) The inspector observed from each staff file that the procedures specified in paragraph (2) had been completed prior to staff members commencing employment in the service.

(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 to Level 8 qualification in early childhood care and education on the National Quality and Qualifications Ireland (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 as revised as part of their continuous professional development.

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 were always, during the inspection, an adequate number of staff members working directly with the children in attendance at the service.

(2) The minimum ratio of adults to children as schedule 6 were maintained as follows throughout the day of inspection.

Wobblers Room- AM- There were 5 children, aged 1 to 2 years, directly supervised by 1 staff member.

PM- There were 4 children, aged 1 to 3 years, directly supervised by 1 staff member.

Toddler Room -There were 10 children aged 2 to 3 years directly supervised by 2 staff members, throughout the day.

Downstairs Playschool-AM- There were 14 children, 1 aged 2 years and 20 months, 13 aged 3 to 4 years, directly supervised by 3 staff members.

PM- There were 7 children remaining for the full day care service, directly supervised by 2 staff members.

Downstairs Preschool-AM- There were 10 children aged 3 to 5 years directly supervised by 1 staff member.

PM-There were 8 children remaining for the full day care service directly supervised by 1 staff member.

Upstairs Playschool- AM- There were 6 children aged 3 to 4 years, in attendance for the sessional service, directly supervised by 1 staff member.

Upstairs Preschool- AM- There were 9 children aged 4 to 5 years in attendance for the sessional service directly supervised by 1 staff member.

Both upstairs classrooms were not used for preschool children in the afternoon.

(8) The registered provider ensured that there were always at least two adults on the premises and this was observed documented on the staff roster available for inspection.

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.

(3) A registered provider of a full day care service, a part-time day care service or a childminding service, other than such a service to which paragraph (2) applies, shall ensure that-

(a) a suitable, safe and secure outdoor space to which the pre-school children attending the service have access on a daily basis is provided on the premises,

Compliance Information

(1)(a) There were six preschool classrooms available in the service, which contained equipment and resources appropriate to the ages of each class of children.

(b) There was a designated sleep room located within the wobbler which contained five standard cots for children under two years of age to sleep in during the day.

(3)(a) A safe and secure outdoor play area was provided at the back of the premises. A risk assessment of the outdoor area was recorded daily, and children were observed to access the outdoor play area on the day of inspection.

Part V - Care of Child in Pre-school Service

Regulation 21 – Equipment and materials

A registered provider shall ensure that there is adequate and suitable furniture, play and work equipment and materials available on the premises of the pre-school service.

Compliance Information

In each of the six classrooms, the inspector observed that appropriate child sized seating and tables were provided. Age-appropriate interest areas had been created to include kitchen/ home, construction, creativity, and rest and reading areas in the classrooms. These areas were adequately resourced with thematic play equipment and reading materials.

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 three-week menu in operation which was displayed on a notice board at the entrance of the service for parents to see the daily menu. Staff informed the inspector that a choice of cereals, milk and toast were available for children who arrived early in the service or who had not had breakfast at home. On the day of inspection, the inspector observed that the children had crackers and raisins for morning snack at 10:20 hours. The main hot meal of the day served at 12:00 hours was Chilli Con Carne consisting of beef mince and red kidney beans with a tomato-based sauce incorporating finely diced peppers, mushrooms, and onions. A smaller hot meal

of home-made potato and leek soup with brown bread was served at 14:15 with an additional snack of fruit and bread sticks/ scones at 16:00 hours.

In each of the classrooms the children had access to their drinking bottles with the staff in the younger classrooms supporting the children to ensure they picked their own drinking bottle. Jugs of fresh water and drinking glasses were also available for any staff member or child did not have a drinking bottle.

The service menus displayed offered a variety of nutritious meals over the course of a three-week cycle in line with the service's healthy eating policy, which included vegetable pasta with cheese, garlic bread and green beans, chicken casserole, beans, cheese and potatoes, chicken casserole, spaghetti Bolognese, creamy fish pie with mash or baby potatoes, cheese, broccoli and spinach past bake and beef mince and vegetable pie.

The evening meal menu also consisted of cheese toasties- wraps/ pastry swirls/pittas with sliced cucumber, beans and toast, boiled egg and toast soldiers, homemade pizza with vegetables and chicken, scrambled egg and toast or a plate of finger food which included, ham, cheese, tomato, cucumber, and homemade brown bread.

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. A reception area was located at the front of the service which was managed by the registered provider or designated person in charge. Both systems were implemented to prevent a child exiting the service unsupervised or to prevent an unauthorised person entering the premises.

The outdoor play area was secured with a locked side gate and high surrounding wall.

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

All cleaning materials and liquids were stored in designated storage areas safely out of the reach of children.

Infection Control:

The service had an adequate infection control policy in place. Hand washing was observed to be carried out by both staff and the children, prior to mealtimes, after using tissues to blow noses, after messy and outdoor play. Toileting and nappy changing were supported and carried out in line with both the toileting and nappy changing policies contained in the service's infection control policy, Cleaning schedules were displayed in each classroom and indicated that these were recorded daily by the staff present.

Administration of Medication:

On review of a sample of five 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 parent 's/ guardian's signature also recorded providing consent.

Safe Sleep:

During the inspection staff were observed to physically check sleeping children every ten minutes in line with the service's safe sleep policy, and to record 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.

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 always attending the pre-school service.

Compliance Information

(1) There were four staff members present on the day of inspection who had current first aid responder (FAR) training. The roster reflected the presence of the FAR trained staff and ensured that there was always at least one FAR trained member of staff onsite.

(2) (a) Three first aid boxes were available in the service. A first aid box was available at reception on the ground floor, on a shelf on the first floor and there was also a designated third first aid box available for the outdoor play area, while children were playing outside.

(b) The first aid boxes were always adequately resourced with monthly checks of their contents recorded and were always available if required for the 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 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) A record of monthly fire drills carried out in the service was maintained, The last fire drill carried out in the service was recorded as having taken place on 19 October.

(b) A record of the annual maintenance checks of fire-fighting equipment in the service and the service's fire alarm system was maintained. The last maintenance checks for both the fire-fighting equipment and alarm system were recorded as having taken place on the 09 August 2023.

(4) A notice of the procedure to be followed in the event of a fire was displayed in the reception of the service. A fire assembly point was in the car park.

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 care childcare service for up to 65 preschool children was available for inspection. The service is currently registered to accommodate a maximum number of 55 preschool children.

Part VII - Premises and Space Requirements

Regulation 30 - Minimum space requirements

(1) Subject to paragraphs (2) to (6), a registered provider shall ensure that adequate clear floor space is available in the premises for the work, play and movement of children attending the pre-school service.

(2) A registered provider of a full day care service or a part-time day care service shall ensure that the minimum amount of clear floor space specified in column (3) of Schedule 7 opposite a particular reference number specified in column (1) of that Schedule in respect of the age range of children specified in column (2) thereof at that reference number is available for each child in that age range attending the service.

(3) A registered provider of a sessional pre-school service or a pre-school service in a drop-in centre shall ensure that a minimum of 1.818 square metres of clear floor space is available for each child attending the service.

(4) Where a registered provider contemporaneously provides-

(a) a sessional pre-school service, and

(b) a full day care service or a part-time day care service, or both,

the minimum clear floor space applicable for the duration of the sessional preschool service in respect of the children attending that service shall be the floor space specified in paragraph (3).

Compliance Information

On the day of inspector, in the presence of the registered provider the inspector measured each of the six classrooms. The following findings were observed.

Room Name & Location	Age Range	Clear Space Available (square metres /sqm)	Max number for Sessional	Max number for FDC/PT
Wobbler Room	1 -2 years	20 sqm	N/A	7
Toddler Room	2-3 years	23.5 sqm	Calculate as per schedule 7	10
Playschool Room (Ground Floor)	3-4 years	26 sqm	14	11
Preschool Room (Ground Floor)	4-5 years	22.3 sqm	12	9
Playschool Room (First Floor)	3-4 years	18 sqm	10	8
Preschool Room (First Floor)	4-5 years	27 sqm	14	11

The allocation of children within the building was in compliance with the floor space requirements for work, play and movement.