

TUSLA REGULATORY INSPECTION REPORT



TUSLA Identifier:	TU2015KK077
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Name of Service:	Deenside Early Years Ltd.
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Address of Service:	Castlecomer Community Childcare Centre, Kilkenny Street, Castlecomer, Kilkenny.
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Email Address:	deensideearlyyears@gmail.com
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Name of Registered Service Provider:	Martin Rafter
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Type of Service Registered:	Full Day Care <input checked="" type="checkbox"/>
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Date of Inspection:	3	0	0	3	2	0	2	2
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No of Pre-School Children present during Inspection:	AM	27	PM	13
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Address of the Early Years Inspectorate:	Early Years Inspectorate, Tusla Child & Family Agency, Athy Road, Carlow.
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Inspection undertaken by:	Norma Thornton
Title:	Early Years Inspector.

Areas which were the subject of this Inspection		
Governance	Health, Welfare and Development	Safety

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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TUSLA REGULATORY INSPECTION REPORT

Description of Service	<p>Deenside Early Years Ltd. is a non-profit, community early years service located in the Castlecomer community centre, in the town of Castlecomer, in north county Kilkenny. The service offers sessional, part-time and full day care early years services for children aged 6 months to 6 years. The service operates from 8:00am to 6:00pm, Monday to Friday, for 50 weeks of the year. The maximum number of children that the service can accommodate at any one time is 78.</p>
Premises	<p>The early years service is located to the back of the community centre. Access is through the community centre to the secured entrance door to the early years service. The service contains a total of four early years classrooms, a school aged classroom, designated kitchen facilities and a children’s dining area. There are two outdoor play areas located to the side of the service, which can be accessed directly from the ground floor classrooms.</p>
Staffing	<p>There were 11 staff members employed in the service, including a designated kitchen staff member. The registered provider does not work in the service. All staff members employed to work directly with the children held qualifications in early childhood care and education from Level 5 to Level 8 on the National Qualifications Framework.</p>
Methodology	<p>Tusla’s Early Years Inspectorate (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.</p> <p>The findings on inspection are based on;</p> <ul style="list-style-type: none"> • Information obtained through examination of documentation • Direct observation • Discussion with relevant staff <p>The inspection was an unannounced Focused Inspection to assess compliance with the Childcare Act 1991 (Early Years Services) Regulations 2016 and Childcare Act 1991 (Early Years Services) (Amendment) Regulations 2016. The Inspection focused on regulations under two themes; Governance, and Safety.</p> <p>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.</p>
Acknowledgements	<p>The inspector wishes to acknowledge the cooperation of the designated person in charge, staff and children who were present on the day of the inspection.</p>

GOVERNANCE

Part III - Management and Staff

Regulation 9 - Management and Recruitment

- (1) A registered provider shall ensure that—
- the service has a designated person in charge and a named person who is able to deputise as required,
 - 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—
- consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,
 - consideration of references from reputable sources in the case of a person who has no past employers,
 - 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
 - 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.
- (6) Paragraph (4) shall not apply before 1 September 2021 to a person who—
- has signed a declaration on or before 30 June 2016 to the effect that he or she intends to retire from employment in a pre-school service before 1 September 2021, and
 - is in possession of a letter from the Minister confirming that paragraph (4) shall not apply to him or her before that date
- (6A is inserted by S.I. No.632 of 2016 CHILD CARE ACT 1991 (EARLY YEARS SERVICES) (AMENDMENT) REGULATIONS 2016 which states; Regulation 9 of the Child Care Act 1991 (Early Years Services) Regulations (S.I. No. 221 of 2016) is amended - in paragraph (4), by the substitution of "paragraphs (5), (6) and (6A)" for "paragraphs (5) and (6)", and (b) by the insertion of the following paragraph after paragraph (6): "
- (6A) Paragraph (4) shall not apply to an employee of a registered provider where - (a) the registered provider receives funding for the employment of the employee pursuant to a scheme funded by the Minister and known as the Access and Inclusion Model, and (b) the employment of the employee is for the purpose of providing support, pursuant to the scheme referred to in subparagraph (a), for a child attending the service to enable the child to participate in the programme known as the Early Childhood Care and Education (ECCE) funding Programme."

Part III - Management and Staff

Regulation 9 - Management and Recruitment

<p>Compliance Information:</p>	<p>(1)(a) There was a designated person in charge and a named deputy designated person in charge who was able to deputise, as required.</p> <p>(b) The deputy designated person in charge was on the premises. There were three new staff members employed in the service since the last inspection on 17 September 2020.</p> <p>On review of the new staff members' files and a sample of staff files in the service, the inspector observed the following:</p> <p>(2)(a) Written past employer references were available in respect of staff working in the service with recorded validations of each reference.</p> <p>(b) Written past references were available from reputable sources in the case of a person whom past employer references were not available.</p> <p>(c) There was evidence of completed vetting disclosure certificates from An Garda Síochána which were on file in respect of all staff working in the service.</p> <p>(d) Completed police vetting documentation was available for staff working in the service, who had lived outside of the jurisdiction, for a period of longer than six months.</p> <p>(4) There was evidence that all staff employed in the service held at least a major award in early childhood care and education at Level 5 to Level 8 on the National Qualifications Framework.</p> <p>(6)(a) Not applicable as no staff member working in the service had signed a declaration on or before 30 June 2016 to the effect that he or she intended to retire from employment in a pre-school service before 1 September 2021 and</p> <p>(b) No staff member working in the service had in possession of a letter from the Minister confirming that paragraph (4) shall not apply to him or her before that date.</p> <p>(6A) Not applicable as all staff, working in the service held at least a major award in early childhood care and education at Level 5 to Level 8, on the National Qualifications Framework.</p> <p>The inspector observed that there was additional evidence of certificates of continuous professional development in each of the staff files sampled.</p>
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Part III - Management and Staff

Regulation 11 -Staffing Levels

- (1) *Subject to this Regulation, a registered provider shall ensure that there is at all times an adequate number of adults working directly with the children attending the pre-school service.*
- (2) *Subject to paragraphs (4) and (5), a registered provider of a full day care service or a part-time day care service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 1 of Schedule 6 opposite a particular reference number specified in column (1) of that Part in respect of the age range of the children specified in column (2) thereof at that reference number is satisfied*
- (8) Without prejudice to paragraphs (2) to (7)—
- (a) a registered provider of a pre-school service other than a child-minding service or a sessional pre-school service shall ensure that there are at least 2 adults on the premises at all times.

Compliance Information:

(1)The inspector observed that there was an adequate number of staff working directly with the early years children, on the day of the inspection. There were 27 early years children with 9 staff members directly supervising them during the morning of the inspection.

During the afternoon, there were 13 early years children directly supervised by 6 staff members. The designated person in charge and an additional staff member were available to provide relief for staff breaks.

(2)The registered provider and designated person in charge ensured that the minimum ratio of staff to children was maintained in the service, at all times. On the morning of the inspection, the staff to child ratios were maintained as follows.

On the ground floor of the service;

- In the baby/wobbler room, there were 4 children aged 1 to 2 years of age, with 2 staff members directly caring for the children.
- In the toddler room, there were 6 children (one child aged 1 to 2 years of age and five children aged 2 to 3 years) directly cared for by 2 staff members.

On the first floor:

- In the senior playschool room, there were 12 children aged 4 to 6 years of age, directly cared for by 3 staff members.
- In the junior playschool room, there were 5 children aged 3 to 4 years of age cared for by 2 staff members.

Part IV – Information and Records

Regulation 16 – Record in Relation to Pre-School Service

- (1) A registered provider shall ensure that a record in writing is kept of the following information in relation to the service:
- (a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor;
 - (b) details of the class of service and the age profile of children for which the service is registered to provide services;
 - (c) details of the adult: child ratios in the service;
 - (d) the type of care or programme provided in the service;
 - (e) the facilities available;
 - (f) the opening hours and fees;
 - (g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;
 - (h) details of attendance by each pre-school child on a daily basis;
 - (i) details of staff rosters on a daily basis;
 - (j) details of any medication administered to a pre-school child attending the service with signed parental consent;
 - (k) details of any accident, injury or incident involving a pre-school child attending the service.
- (2) A registered provider shall ensure that—
- (a) all documents and records relating to references and Garda and police vetting obtained under Regulation 9(2) are retained for a period of 5 years from the date on which the person to whom the document or record relates commences working in the service, and
 - (b) a record referred to in subparagraph (h), (j) or (k) of paragraph (1) is retained for a period of 2 years from the date on which the child to whom it relates ceases to attend the service, or in the case of a preschool service in a drop-in centre or of a temporary pre-school service, for a period of 2 years from the date on which the child attends the service.
- (3) A record referred to in paragraph (1) shall be open to inspection on the premises, and the documents and records referred to in paragraph (2)(a) shall be open to inspection whether on the premises or elsewhere, by an authorised person.
- (4) A record referred to in paragraph (1) shall be open to inspection on the premises by a parent or guardian of a child but only in respect of information concerning that child.
- (5) For the purposes of operating the pre-school service, a record referred to in paragraph (1) shall be open to inspection on the premises by an employee who is authorised in that behalf by the registered provider.

Compliance Information:

On review of the documentation open for inspection on the premises, the inspector observed that the documentation and records required under Regulation 16 of the Child Care Act 1991(Early Years Services) Regulations 16 and Child Care Act (Early Years Services) (Amendment) Regulations 2016 were maintained by the registered provider.

HEALTH WELFARE & DEVELOPMENT OF CHILD

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

Compliance Information:

(1)(a) The inspector observed the following on the day of inspection:

BASIC NEEDS:

- In each of the four classrooms in operation the staff were observed to be engaged in activities with the children, interacting and communicating positively with them. The staff were observed to praise and encourage the children as they created pieces of construction with blocks, bricks, and connective materials, completed jigsaws and playing imaginatively.
- Nappy changing procedures were carried out, when required, and children's toileting was supported and assisted with as required.
- Children were encouraged to wash their hands post toileting, post messy play and outdoor play, after sneezing or coughing and before mealtimes.
- Drinking water was provided in each room for the children in their individual identifiable bottles or fresh water was given to the children in drinking cups.
- A three weekly menu plan was available in the service and displayed in the entrance hall of the service for parents to view. A variety of hot meals were offered which included spaghetti bolognaise, baked ham, potato and vegetables, fish cakes and vegetables, beef stew, chicken noodle dish, and roast chicken.
- Dinner on the day of inspection consisted of potato wedges, homemade mini turkey burgers and beans, which was documented on the menu. The evening meal provided was ham and cheese wraps.
- Options for the teatime meal included toasted sandwiches, crackers and ham, cracker bread and jam with yogurts, brioche rolls or bread muffins with custard and bananas.
- If a child did not like or feel like the food offered on the day, an alternative such as a sandwich or crackers, ham and cheese was available.
- Children bought food items from home to have at snack times, which consisted of items in line with the service's healthy eating policy, such as fruit, vegetable sticks, rice cakes, crackers, cheese and yogurts.
- Individual children's nutritional needs were catered for in adherence to religious beliefs and sensory needs.

PHYSICAL AND MATERIAL ENVIRONMENTS:

Part V - Care of Child in Pre-school Service

Regulation 19 - Health, Welfare and Development of Child

- Each of the classrooms inspected were bright, naturally lit and well ventilated.
- The four early years classrooms in operation on the day of inspection contained child sized seating and tables appropriate to the age profile of the children in the specific rooms. Low-level shelving provided easy access to a variety of age-appropriate toys for the children.
- There were clearly defined areas of interest which included rest and relaxation areas, reading areas, sensory and messy play areas, kitchen/home areas, construction areas, and art areas. A supply of low-level shelving in each classroom provided ease of access to tabletop activities.
- All four early years rooms had a designated soft rest area where children could go to take a break from physical activities and relax.

THE OUTDOOR PLAY AREAS:

- There were two outdoor play areas available onsite which could be directly accessed.
- Both areas had soft play surfaces and contained areas of interest such as water and sand play, an outdoor kitchen area and playhouse.
- Chalk boards, ride on and push toys were available for the children to play with.
- Large tyres had been secured flat, against the surrounding wall and contained soft vinyl covered mattress inside their curves, so that children could lie inside and relax and read, while outdoors.

Part V – Care of Child in Pre-school services

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) There were adequate and suitable facilities available for the children attending the service.

- The inspector observed that the four early years classrooms in operation, contained planned physical environments, adequate play materials and resources, to stimulate children’s imaginative and creative play and interests.
- Areas of interest had been created in each classroom, appropriate to the age group of the children in attendance.
- There were two outdoor play areas available to the side of the service. Each play area had interest areas and play equipment appropriate to the ages of the children attending the service

(b) There were two sleep rooms available in the service, one in the baby/wobbler room, for children aged up to 1 year of age and a second in the toddler room for children aged 1 to 2 years.

- The sleep room in the baby/wobbler room contained four standard cots, each designated to a child in the room and prepared with clean fitted sheets and cellular blankets.
- The sleep room in the toddler room contained three stackable canopy beds and two standard cots, which were also designated to individual children, and prepared with fitted sheets and cellular blankets.
- The temperatures in both sleep rooms were maintained between 16 to 20 degrees Celsius in line with safe sleep guidelines and the service’s safe sleep policy.

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 inspector observed that the following measures to safeguard the health, safety and welfare of the early years children, had been taken by the staff in the service.

GENERAL SAFETY:

- On arrival to the service, the inspector observed that the entrance door to the service was appropriately secured with a call bell and keypad system, to prevent children from exiting the premises unsupervised and to ensure that unauthorised persons were prevented from gaining access to the service.
- Closed-circuit television (CCTV) monitoring in the service enabled staff to authorise entry for parents and essential visitors.
- There was a sanitising station provided in the entrance hall for children and essential visitors. Internally, there were sanitiser stations safely provided in each of the classrooms and throughout the service.
- The kitchen area was inaccessible to the early years children and situated away from the early years classrooms.
- There was a secure storage area provided in the building for cleaning agents, equipment, liquid hand soap and sanitiser supplies, which were all inaccessible to the children.
- The parameter of the outdoor play environment was safely secured by a high wall.
- On review of documentation, the inspector observed that a daily risk assessment of each of the two outdoor play areas was carried out in the morning prior to children going outside to play.

INFECTION CONTROL:

- In the four early years classrooms, a daily cleaning schedule was maintained, detailing when equipment was cleaned and disinfected, to reduce the risk of cross infection.
- Play equipment in the outdoor play areas was cleaned and disinfected on weekly basis and records of cleaning schedules were observed to be maintained.
- Adequate toilet, nappy changing and hand washing facilities were provided for each classroom. A constant supply of thermostatically controlled water was available in all hand wash basins, which was maintained within a maximum of 43° Celsius.
- Each hand washing station had a sufficient supply of liquid hand soap, paper towel and hand sanitiser dispensers.
- Staff were aware of the lead infection control staff member within the building, and the location of the designated isolation area. Staff demonstrated to the inspector through discussion, their knowledge of the

Part VI - Safety

Regulation 23 - Safeguarding Health, Safety and Welfare of child

steps that should be implemented, in the incidence of a child or adult in the service, becoming unwell or displaying symptoms of illness.

ADMINISTRATION OF MEDICATION:

- The procedure and policy surrounding the administration of medication to children while in the service was clearly outlined to parents in the parents' handbook and for the staff in the administration of medication policy.
- A medication record book recorded the details of any medications that had been administered in the service in line with the service's administration of medication policy.
- Medications onsite were observed to be stored and labelled appropriately in line with the service's administration of medication policy.

SAFE SLEEP:

- The inspector observed that children were placed down to sleep according to individual sleep schedules, which had been discussed with their parents or as the staff observed that a child was demonstrating signs that the child needed to sleep.
- The staff carried out physical checks on individual sleeping children, every ten minutes, recording individual children's sleep positions, colour and breathing in line with best practice, safe sleep guidelines and the service's safe sleep policy.

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) A person trained in first aid for children, was always, immediately available to the children attending the early years service.

Two staff members had current certificates in paediatric first aid responder training which were due to expire on the 3 March 2023.

(2)(a) A suitably equipped first aid box was stored in a visible position, in each of the classrooms, and were easily accessible to the staff members.

(b) The first aid box in each classroom was always available.

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) The service maintained a record in writing of-

(a) Fire drills that took place in the premises. The last fire drill was recorded as having taken place in February 2022.

(b) The number, type and maintenance record for the firefighting equipment and smoke alarms on the premises.

The last maintenance check for the firefighting equipment was recorded as having taken place in June 2021. The last maintenance check for the smoke alarms was recorded as having taken place on 8 February 2022.

(4) A notice of the procedure to be followed in the event of a fire was displayed in the entrance hall of the service and at several visual points throughout the service.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information:

The registered provider ensured that the early years service was adequately insured. An adequate insurance certificate was available for review and a copy of same displayed in the entrance hall for parents to view.