

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015KY026
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<b>Name of Service:</b>	Moyvane Village Preschool
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<b>Address of Service:</b>	Moyvane National School, Moyvane, Listowel, Co. Kerry
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<b>Eircode:</b>	V31 T227
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<b>Name of Registered Provider:</b>	Anna Marie Flaherty
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<b>Service type:</b>	Sessional
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<b>Date(s) of Inspection:</b>	21/11/2023
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<b>No of pre-school children:</b>	AM	15	PM	07
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<b>Address of the Early Years Inspectorate:</b>	Áras an Phobail, Deans Lane, Tralee, Co. Kerry.
<b>Inspection undertaken by:</b>	N. Reidy
<b>Title:</b>	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).

<b>Conditions if applicable</b>	N/A
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### Description of service

Moyvane Village Preschool is a privately operated early years service providing a sessional service. It is located within the national school. The service provides 2 sessions between the hours of 9 am and 12 mid-day and 12.30pm to 3.30 pm. The service is registered to care for children aged between 2 years and 6 years and is currently catering for children aged between 2 years 8 months and 5 years.

### Staffing

There are currently 6 adults attached to the early years service who are involved in the direct care of the children. This includes the registered provider who works daily in the setting, 2 adults employed under the Access and Inclusion Model (AIM) Support Scheme and 2 students who were undertaking work placement in the service.

### 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.

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) The registered provider is the designated person in charge and there is a named person who can deputize as required. The registered provider was available on the premise to facilitate the inspection process.
- (b) At all times during the period when the pre-school service is being carried on, the registered provider and the named deputy are on the premises.
- (2) The inspector confirmed with the registered provider that 4 adults were employed in the service and 2 students on work placement, the recruitment records for these 6 adults were reviewed.
- (a) 9 written validated references were on file from a past employer.
- (b) 3 written validated references were on file from a source other than a past employer.
- (c) A Garda Vetting Disclosure was on file for the 5 adults. Garda Vetting was not applicable for 1 student under the age of 18 years on work experience placement. .
- (4) The 4 adults working directly with the children had attained Quality Qualifications Ireland (QQI) in childcare training at Level 5 and above.

### Non-Compliance Information

- (2)(d) Police Vetting was not on file for 1 adult who had lived outside of the jurisdiction for a period of longer than 6 consecutive months.

### Corrective & Preventive Action submitted by the Registered Provider

The registered provider stated that: -

#### **Corrective and Preventive Action**

The international police vetting has been obtained. Ensure that all staff have Garda and Police Vetting completed.

#### **Supporting documentation submitted**

A copy of the international Police Vetting.

### Summary Comment

The requirement has been met.

### 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.*

*(8) Without prejudice to paragraphs (2) to (7)-*

*(c) a registered provider of a sessional pre-school service shall ensure that, where the person in charge operates the service single-handedly, a second person familiar with the operation of the service and in a position to provide assistance to the person in charge in operating the service is, at all times, within close distance of the service and available to attend the service to assist the person in charge in the event of an emergency.*

#### Compliance Information

(1) Throughout the period of inspection, the registered provider did ensure that there was an adequate number of adults caring for the children present.

(3) The children attending the service on the day of inspection were aged between 2 years 8 months and 5 years. In attendance at the morning session there were 3 adults and 1 student caring for 15 children, in the afternoon session there were 2 adults and 1 student caring for the 7 children.

The adult child ratio was correct.

(8)(c) Not applicable as the service does not operate single-handedly.

### Part IV – Information and Records

#### Regulation 15 – Record of pre-school child

*(1) A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:*

- (a) the name and date of birth of the child;*
- (b) the date on which the child first attended the service;*

- (c) the date on which the child ceased to attend the service;*
- (d) the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;*
- (e) authorisation for the collection of the child;*
- (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;*
- (g) the name and telephone number of the child's registered medical practitioner;*
- (h) record of immunisations, if any, received by the child;*
- (i) written parental consent for appropriate medical treatment of the child in the event of an emergency.*

### Compliance Information

- (1) Of the 11 records inspected, 5 records had all the required detail as per(a) to (i) inclusive.

### Non-Compliance Information

- (1) The following details were not maintained in writing for 6 records inspected: -
- (g) the name and telephone number of the child's registered medical practitioner
  - (h) record of immunisations, if any, received by the child.
  - (i) written parental consent for the appropriate medical treatment of the child in the event of an emergency.

### Corrective & Preventive Action submitted by the Registered Provider

The registered provider stated that: -

#### Corrective and Preventive Action

The parents of the children in question have been asked to complete the records.

#### Supporting documentation submitted

Photographic evidence and the statement are accepted as evidence.

### Summary Comment

The requirement has been met.

### 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

#### Compliance Information

- The adults caring for the children were observed to be kind, caring and sensitive to the children's needs.
- The children were gently reminded by the adults to use "nice, helping hands" when playing with their friends.
- The inspector observed that children were accompanied to the toilets located outside the room in a timely manner. The children were encouraged to independently use the toilet and the adult's provided assistance as was required.
- The adults checked in with the children at times during the session inquiring if they needed to use the toilet.
- The children had free movement within the spacious playroom to explore and play with the range of play materials and equipment that was provided on the low-level open shelving, on the floor and within boxes.
- A designated rest area was provided, it consisted of soft seating and cushioning.
- The parents/guardians of the children attending provide all food for the children's mealtimes.
- Bottled drinking water was supplied by the registered provider in addition to the drinks provided by the parents in the children's re-sealable bottles.
- The children had ample time to eat their food at the mealtime observed on inspection. The food provided included for example sandwiches, wraps, yogurts and a variety of fruit consisting of sliced melon, apples, bananas, satsumas and blueberries.
- The children were observed to be appropriately dressed in warm coats and hats to play in the outdoor play area on the day of the inspection.
- The area used on inspection had an overhead sheltered area, a concrete surface, soft interlinking matting was available, with a variety of play materials and toys that included for example tricycles, hopscotch, blocks, cars, chalk boards mounted on the fencing enclosing the area.
- When the children were departing from the morning session, the registered provider distributed their individual learning journals to take home to their families.

The Learning journals recorded the activities the children had participated in during their time in the service tighter with supporting photographs and written observations.

### 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 main entrance door to the premise was secure.
- The outdoor play area used on inspection was secured with fencing and a gate to prevent children exiting unsupervised and to prevent unauthorised persons entering the area.
- The inspector observed the registered provider counting the number of children on route from the outdoor area into the playroom to ensure the 15 children were present.

### 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) 3 adults working directly with the children had current First Aid Responder (FAR) training. The training was up to date and the certification in respect of the qualifications was on file.

(2)

(a) A suitably equipped first aid box was provided; it was stored on a high-level wall mounted hook on the wall in the playroom.

(b) The first aid box was accessible to the adults at all times and was out of the reach of 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) The service had maintained in writing a record of the following: -
- (a) The fire drills which had been undertaken at the service were recorded and maintained on file. The most recent fire drill conducted was dated 27.10.2023.
  - (b) There was documented evidence of the number and type of the firefighting equipment and wired smoke alarm within the early years' service. According to the maintenance records, the firefighting equipment was last serviced on 22.08.2022 and the smoke alarm was 24.01.2023. Further evidence in respect of the maintenance of the smoke alarm provided by a registered electrical company stated the next annual service was scheduled for January 2024.
- (4) A notice of the procedures to be followed in the event of fire was displayed in the playroom.

#### Non-Compliance Information

- (1) (b) The maintenance record demonstrated that the fire extinguishers were not serviced on an annual basis.

#### Corrective & Preventive Action submitted by the Registered Provider

The registered provider stated that: -

##### **Corrective and Preventive Action**

The fire extinguishers were inspected, and a maintenance certificate was obtained.

##### **Supporting documentation submitted**

The maintenance certificate dated 6.12.2023.

#### Summary Comment

The requirement has been met.

## Part VI - Safety

### Regulation 28 - Insurance

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

#### Compliance Information

The information provided on the insurance certificate included:

- the contact details for the insurance provider
- the name and address of the service insured.
- the category of insurance cover for the service
- the number of children covered by the insurance was for 22 children.

The expiry date of the current insurance cover was 27/03/2024

## 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*
- (e) equipped with adequate and suitable sanitary facilities.*

#### Compliance Information

- (a) Visually the premise appeared to be sound and stable.

#### Non-Compliance Information

- (a) The supply of warm water supply at the wash hand basins in the children's and in the adult sanitary accommodation was not instantaneous. It was acknowledged the registered provider emailed the office of the early years inspectorate on 26.11.'23 informing the inspector the water pressure was restored and provided video evidence for each of the wash hand basins in question in this regard.

#### Corrective & Preventive Action submitted by the Registered Provider

The registered provider stated that: -

##### **Corrective and Preventive Action**

The hot water pressure has been resolved. Going forward to ensure that the water pressure will stay in the hot water taps at the children's sinks and in the staff toilet.

##### **Supporting documentation submitted**

Video evidence of the water pressure at the sinks identified.

#### Summary Comment

The requirement has been met.