

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015KY041
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<b>Name of Service:</b>	Duagh Community Development Ltd.
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<b>Address of Service:</b>	Duagh Village, Listowel, Co. Kerry
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<b>Eircode:</b>	V31 FH67
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<b>Name of Registered Provider:</b>	Bernie Keane
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<b>Service type:</b>	Full Day, Part Time, Sessional
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<b>Date(s) of Inspection:</b>	07/02/2025
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<b>No of pre-school children:</b>	AM	58	PM	47
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<b>Address of the Early Years Inspectorate:</b>	13 Market Square, Mallow, Co Cork.
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<b>Inspection undertaken by:</b>	F Collins
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<b>Title:</b>	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).

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

Duagh Community Development Ltd. is a full day care service located in the village of Duagh in North Kerry. This service offers full day care, part-time and sessional care for children aged between 0-6 years and is also registered and provides a School Age Service.

The service is open on Monday to Thursday between 08.00 and 18.00 hours and between 08:00 and 17:00 on Friday.

The premises is a detached, two storey premises and has six care areas with one large room downstairs broken into three separate care areas plus an additional room and two separate rooms upstairs.

There is a large dedicated outdoor space available with both outdoor and sheltered facilities and a small area beside the building where the smaller children can play when the weather is poor.

The service has ancillary areas of kitchens, adult and children's toilets, sleep rooms, storage facilities and an office. There is adequate off-road parking available and the entrance is secured by an electromagnetic locking gate.

### Staffing

A total of 19 staff work in the service and six students are completing their Early Childhood Care and Education training on placement from colleges, some staff were on leave. There were 16 adults on the staff roster for the week of the inspection of which there were 11 adults present and caring directly for the children on the day of inspection. In addition to this the registered was provider providing supervision throughout the day.

### 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.

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, 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.
- (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) The service had a designated person in charge and a deputy person in charge on the premises on the day of inspection. The staff were aware of who was in charge at all times.
- (b) The person in charge or the named deputy person in charge were on the premises at all times during the operation of the service.
- (c) There was a clear structure in the service that identified the management structure. Each care room had a room leader and childcare workers.
- (2)
- Of the 25 adults working in the service 13 were new since the last inspection , all 13 adult files were assessed for completeness.
- (a) Of the 26 references required nine validated references were available from past employers.
- (b) Of the 26 references required four validated references were available from a source other than a past employer.
- (c) Garda vetting disclosures were on file for all 13 adults who work in the service. In addition to this the registered provider had renewed garda Vetting for a further four staff in line with the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew staff Garda vetting every three years.
- (3) The procedures as specified in paragraph two above were completed prior to staff commencing work in the service and having access to children.
- (4) Of the 13 staff files assessed 6 adults required a qualification as they worked directly with children. there was evidence on file that all 6 held a qualification from level 5 to level 7 on the National Qualifications Framework.

## Non-Compliance Information

- (2)
- (a)/(b) Of the 26 references required 11 were not available and 2 were not dated or validated by the registered provider potentially allowing access to children by staff that may not be suitable.
- (d) The requirement for police vetting could not be determined for two staff where no curriculum vitae was on file for either staff member. Not having this information may allow staff who may not be suitable have access to the children.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

- (2)
- (2) (a) One validation has been received for employer references not previously validated. An additional 10 employer references have been received and all 10 references have been validated.
- (b) One validated reference from a source other than a past employer and one validation for a previously received reference has been received.
- (d) The required curriculum vitae have been updated and the staff identified did not require police vetting. The service has committed to ensuring that all curriculum vitae and references are obtained, validated and dated prior to commencement of work for all staff members and placement students.

### Supporting documentation submitted

- (2) (a)/(b) Eleven references and 13 validations have been received

## Summary Comment

Following receipt of the references, validations and curriculum vitae the requirements for this Regulation have been met.

### 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

The policy on infection control was reviewed for completeness and had sufficient detail to enable staff to understand best practice in relation to infection control.

### Part III – Management and Staff

#### Regulation 11 - Staffing levels

*(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.*

#### Compliance Information

(2) There were nine children attending Wobbler room 1, all nine were aged between 2-3 years and were being cared for by two staff.

There were six children attending Wobbler room 2 aged between 2-3 years and these were cared for by one staff member.

There were six children attending the baby room and were being cared for by two staff members, all children were aged between 1-2 years.

There were 19 children attending on the morning of the inspection in Pre-school room 1 being cared for by two staff.

There were 18 children being cared for by four staff in Pre-school room 2, one of these staff was employed under the Access and Inclusion Model scheme (AIM).

### 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

##### Basic Needs:

- Meals the snacks on the day of inspection were served at appropriate times and children were able to access their drinks throughout the day. Assistance was given to the children in the Baby and Wobbler rooms as required with the babies' spoon fed and the younger toddlers assisted with eating as needed.
- A staff member sat with the children during meal and snack times. Appropriate crockery and cutlery were used.
- The temperatures of the care rooms were suitable for the care and comfort of the children. Wobbler room 2 room temperature at 10.45 was recorded at 21.2°C in the baby room at 21.9°C at 11.15am and in Pre-school room 1 at 20.8°C at 11.45.
- Staff supported the children with toileting. Nappies were changed as required and on routine. Children were spoken to and interacted with during nappy changing as observed with nappy changes for the Baby and Wobbler rooms 1.
- Children were reminded to wash hands and helped when needed, especially with the younger age group.
- Sleep was facilitated throughout the day in the Baby room with each child's sleep needs met when they indicated the need for same. In the Wobbler rooms sleep was facilitated after dinner with some children sleeping on cots in the large sleep room and other children sleeping on stackable beds in the care rooms.
- All children could move about freely and there was no restriction placed on their movement.
- When going outside the children were appropriately dressed in their coats. On the morning of inspection due to the ice the staff took the children for a walk on the footpath as the outdoor play area was covered in ice.

##### Supporting Relationships

- Each staff member was assigned to a care room. Staff knew the children in their care and the children appeared comfortable with them and sought their support when required.

- The children in the Pre-school room 1 were observed to play in small groups for tabletop activities and when they did not want to partake in these activities, they sat on the cushions with one of the staff who read a story and talked with the children.
- The staff spoke with parents to at drop off and collection. The service had introduced a new care application system and parents/guardians were now informed of activities, meals, nappy changes and the start and finish of sleep time on this system.
- The staff appeared to work well together with the staff of the Wobbler rooms helping the staff of the Baby room with sleep checks.

### Physical and Material Environment

- Each of the care rooms had a variety of toys and resources suitable for the ages of the children attending the room. The resources were specific to encourage the development of each child, i.e. jigsaws and blocks and bricks for fine motor development, arts and crafts of sticking cotton wool was seen for sensory play, home corners for imaginary play and storytelling for cognitive and speech development.
- Dress up clothes were available in Pre-school 1 which allowed for imaginary play.
- There were floor mats in each of the rooms that allowed the children to use this surface for play and using push toys etc.
- Most of the shelving was accessible to the children and they were able to choose their activities as required.
- There were suitable adult chairs available to the adults to be comfortable while caring for the children.
- The tables and chairs were at a suitable height for the different children in the different care rooms.

### The Outdoor Environment

The outdoor environment consisted of three spaces however it was icy on the day of inspection and not assessed.

### Non-Compliance Information

1. The rest area in Wobbler room 1 was minimal and as explained by the staff was under development, the children had access to some floor cushions, this lack of a rest area especially in the younger children who attend full day care does not allow for the children to relax between activities or to have the option of opting out of activities.
2. The children in Wobbler room 1 were observed to be standing at the tables to do tabletop activities at 9.40am, the chairs had been stacked away. This may reduce the children's ability to concentrate on the activity as they could not relax during this time.

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

#### Corrective and Preventive Action

1. The rest area downstairs in Wobbler room 1 has now been fully developed to enable children to relax as required, and staff have been informed that this is a requirement at all times.
2. The registered provider has committed to ensuring that chairs for tabletop activities have been made available at all times. The registered provider has stated that the staff have been Informed of the requirement for chairs to be available at all times.

#### Supporting documentation submitted

The commitment as received on the corrective and preventive action for and the photographs of the Wobbler room 1 rest area have been received.

#### Summary Comment

The requirements for this Regulation have been met.

### 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 highchairs appeared clean and had appropriate harness in place.
- The toys assessed in each area of the service were suitable with no evidence of pinch or crush points that may cause injury to a child.
- The door to the footpath accessing the service was secured by an electromagnetic lock that was openable by a CCTV system where the staff would see the person being allowed access to the service. This also ensured that no child could leave the service unattended and no unauthorised adult could gain access to the premises.
- The windows were secured with window restrictors both upstairs and downstairs.
- The adult toilets, the office and the kitchen were secured from the children.
- Storage was inaccessible and out of reach of the children throughout the building.

- The stairs to the care rooms upstairs was suitable with yellow tape indicators informing the children and adults when they were nearing the end of the stairs and there were suitable handrails in place.
- No hot drinks were observed to be consumed by the staff near the children as all staff took their breaks away from the children. .

### Infection Control:

- At each sink used by the children there was hot water, liquid hand soap and paper towels. The hot water temperatures ranged for 27.6°C in Wobbler room 1 to 24.8°C in the toilets upstairs.
- The adult toilet facilities had appropriate hot water, soap and hand towels.
- Lidded pedal operated bins were used throughout the service.
- Nappies were bagged and binned in lidded bins after each nappy change. No odour was evident in the nappy changing areas.
- The nappy changing mats were intact and suitable disinfectant was accessible at each changing unit.
- Staff were observed to use plastic aprons, vinyl gloves and wash their and the children's hands after each nappy change to prevent cross contamination.
- Tables were cleaned before and after mealtimes with suitable disinfectant to prevent contamination and cross infection.
- Bags were stored off the ground on hooks or on appropriate shelving.
- Snacks were stored in the fridge to ensure the perishable items contained within were suitably stored to prevent contamination.

### Administration of Medication:

- No medication was administered on the day of inspection however the staff in Pre-school 1 had emergency medication available in the event it would be required, a detailed care plan was available for the administration of this medication. .

### Safe Sleep:

- At 1.25pm the sleep room temperature was recorded at 19°C in the sleep room used by Wobbler room 1.
- Ten-minute sleep checks were completed on all sleeping children and records of these were maintained on paper records.
- Children were put to sleep in cots or stackable beds in line with their ages, all children under 2 years were put to sleep in cots and children over 2 had access to stackable beds.
- The sleep facilities were safe with cots away from radiators and blinds and standard cots were in use with safety mattresses.

### Fire Safety:

- The firefighting equipment was safely tethered to the walls.
- The fire exits were not blocked on the day of inspection.

### Non-Compliance Information

#### Infection Control:

1. The couch being used in Wobbler room 2 was torn and had exposed foam, this would not be easily cleaned and posed a risk of contamination and cross infection.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

#### Infection Control:

1. The registered provider has informed the inspectorate that the couch has been removed from Wobbler room 2 while it is sourcing a washable cover. A rest area using cushions has been developed as an interim measure. Staff have been reminded to report torn equipment immediately.

#### Supporting documentation submitted

#### Infection Control:

1. A photograph of the newly developed rest area with the couch removed has been received.

### Summary Comment

The requirements for this regulation have been met following receipt of the corrective and preventive action form and the photographic evidence submitted.

## 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.*

### Compliance Information

- (1) The registered provider ensured that all children were checked in on arrival and were signed out on departure, the system in use was a care application system and was assessed on inspection, all children in attendance were signed in.
- (3) The service maintained a visitor record book where each visitor to the service was signed in by a staff member who authorised their access. The inspector was requested to sign in on arrival.

## 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.*
- (2) *The record referred to in paragraph (1) shall be open to inspection by-*
  - (c) *an authorised person.*

### Compliance Information

- (1) (a) There was a record of the fire drills completed by the service available for inspection. The date of the last fire drill completed was recorded as being completed on 20.01.2025.
- (b) There was a record of the number type and maintenance of the firefighting equipment, the fire extinguishers were last serviced on 18.06.2024 and the fire alarms were last serviced on 04.06.2024 and a certificate for same was available for inspection.

### Part VI - Safety

#### Regulation 27 – Supervision

*A registered provider shall ensure that pre-school children attending the service are supervised at all times.*

#### Compliance Information

The children were supervised throughout the day.

Supervision of sleep and play was observed and staff sat with the children for mealtimes to supervise their meals.

The children were supervised in small groups in Pre-school room 1 when using tabletop activities and the staff and students were observed to move between play areas ensuring the needs of the children were being met.

### 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,*

#### Compliance Information

- (a) The building appeared to be of sound and stable structure.
- (b) The electromagnetic locks on the access gate and the high surrounding fencing around the car park ensured the service was safe and secure.
- (c) The service was appropriately heated, lighting was suitable throughout with dim but adequate lighting in the sleep rooms to ensure the children could be easily checked. Ventilation was through openable windows.

#### Non-Compliance Information

- (d) The service was not suitably cleaned, there was evidence of debris in all care rooms. The staff cleaned daily and there was evidence of this cleaning being signed for by staff however there was debris on the rugs and mats, between the floorboards that had separated in Pre-school room2 and under the floor toys and presses. There is potential risk to the staff and children of infection when the service is not cleaned and debris removed.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

(d) The registered provider stated that a staff meeting was held where staff were reminded of the importance of thorough cleaning before completing the relevant checklists. The registered provider has also informed the inspectorate that a cleaner has been engaged to deep clean the childcare areas of the service twice weekly. The registered provider has committed to having the floorboards repaired in Preschool room 2 with a date for same set.

### Supporting documentation submitted

The written commitment received is accepted as proof that the requirements for this regulation have been met.

## Summary Comment

The requirements for this Regulation have been met and will be reviewed on the next inspection.