

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015KY046
--------------------------	-------------

Name of Service:	First Step Childcare
-------------------------	----------------------

Address of Service:	Listry Community Centre, Faha, Killarney, Co. Kerry
----------------------------	---

Eircode:	V93 PX08
-----------------	----------

Name of Registered Provider:	Jerry Fitzgerald
-------------------------------------	------------------

Service type:	Full Day, Part Time, Sessional
----------------------	--------------------------------

Date(s) of Inspection:	31/07/2024
-------------------------------	------------

No of pre-school children:	AM	21	PM	12
-----------------------------------	----	----	----	----

Address of the Early Years Inspectorate:	Áras an Phobail, Deans Lane, Tralee, Co. Kerry.
---	---

Inspection undertaken by:	N. Reidy
----------------------------------	----------

Title:	Early Years Inspector
---------------	-----------------------

Authority to Inspect

The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(J) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).

Conditions if applicable	n/a
---------------------------------	-----

Description of service

First Step Childcare is a community based early years service that is registered to provide sessional, part-time and full day care to children aged between 0 and 6 years. The service is open Monday to Friday between the hours of

8:00 am and 6:00 pm. The premise is purpose built and consists of 3 care rooms, 2 on the ground floor and 1 on the first floor. The children attending have access each day to a designated fully enclosed outdoor play area.

Staffing

There are currently 21 adults attached to the early years service, 18 of whom are involved in the direct care of the children. There is 1 adult working on a voluntary basis, 1 adult employed in the kitchen and the registered provider is not service based and does not work directly with the children who attend the setting.

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. 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 designated person in charge, deputy 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*

(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 had ensured that both a designated person in charge and a deputy person in charge was assigned to the setting.
- (b) When the unannounced inspection commenced, the person in charge and the deputy were on duty at the service. Both adults remained available to assist with the inspection process.
- (2) The recruitment records in relation to each of the twenty-one adults attached to the service were inspected.
- (a) 30 references were from previous employers with records of validation were on file.
- (b) 12 references were from sources other than previous employers with records of validation on file.
- (c) Garda vetting disclosures had been obtained for each of the 21 adults. However, the service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. Please refer to the information outlined under regulation 23 of this report.
- (d) Police vetting was available in respect of 2 adults who had lived outside the jurisdiction.
- (4) Twenty-two of the staff members had achieved major awards in Early Childhood Care and Education, as listed on the National Framework of Qualifications (NFQ), with copies of the relevant qualifications maintained on file. Qualifications were not required in respect of the registered provider who was not working with the children in the service.

Non-Compliance Information

- (2)(d)
- Police Vetting was not on file for 3 adults who had resided outside of the jurisdiction.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. There is 1 adult who will no longer have access to the children in the childcare rooms, 1 adult ceased employment on 23/08/'24 and Police vetting was obtained for the 3rd adult in question.

Supporting documentation submitted

The statements are accepted as evidence. Police vetting in respect of 1 adult was received.

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.

(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 registered provider did ensure that an adequate number of adults were working directly with the children at all times.

(2) There were 2 care rooms in operation on the day of the inspection namely the creche, the downstairs pre-school room.

Creche

There was 1 staff member caring for 3 children aged between 2 years and 3 years attending on a full day care basis.

Pre-school downstairs

There were 3 staff caring for 10 children aged between 2 years and 5 years, attending on a part-time and on a full day care basis.

The adult child ratio was correct.

(8) (a) The registered provider did ensure that a minimum of 2 adults are on the premises at all times during the hours of operation.

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) A record was available in respect of the children attending the service. The sample of thirteen records inspected had the detail of (a) to (i) inclusive.

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:

- (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.*

Compliance Information

- (1)
- (h) The details of the children’s daily attendance were recorded in each of the childcare rooms.
 - (i) Details of staff rosters on a daily basis was maintained including staff cover for break times.
 - (j) A sample of records of any medication administered to a pre-school child attending the service were inspected and founded to be complete.
 - (k) A sample of records of any accident, injury or incident involving a pre-school attending the service and founded to be completed in full.

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

- The staff members caring for the children on the day of inspection were kind, caring and respectful towards the children in their care.

- The children attending the service are offered breakfast, snacks and the main hot meal cooked each day on the premise.
- A 3 weekly menu planner detailing the snacks and main meals (including the ingredients) served is supplied to the parents.
- The mealtimes observed were unhurried, the children sat at the low-level tables in the care rooms. The adults sat at the tables and assisted the children as needed.
- Hand washing by the children took place prior to the mealtime observed on the day of the inspection.
- After finishing their meal, the older children placed any left-over foods in the allocated bin in the room, the staff praised them for their efforts.
- The children had unlimited access to their individually labelled water bottles throughout the day and the water was re-filled at the sinks in the care rooms.
- The inspector observed the children's water bottles were taken outside when the children played there.
- The staff in the creche were observed reminding offering drinks to the children.
- Children that had finished eating before others choose books and sat on the soft matting on the floor. Staff informed the children that the bookshelf was furnished with new books.
- The food observed on inspection included toast, watermelon, orange segments and water to drink.
- The children had unlimited access to the toilets located within the care rooms.
- Nappy changing was carried out as required and the staff were observed talking to the children during the procedure, for example about the animals the child had at home.
- Children's individual toiletry needs were met for example children that were toilet training. The staff praised the children for their efforts and assisted them changing into comfortable clothes afterwards.
- The children were observed playing in the allocated outdoor spaces during the day, the areas were directly accessible from the care rooms in operation.

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-

(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

- There were 5 standard cots in place in the designated sleep room located outside the creche room.
- There was an openable window on the fire exit door, it was open to ventilate the room.
- A blind was fitted to the glass panel on the fire exit door in the sleep room, it was closed to promote a restful environment for the children to sleep in.
- The temperature of the sleep room was recorded at 21 degrees Celsius for the children aged between 2 years and 3 years sleeping on the day of the inspection.
- The cots were positioned in a way that staff could easily move around to care for the children.
- On the day of inspection there was sufficient rest and sleep equipment within the service for each of the children to sleep and rest during the day.
- The linen in use on the cots was observed to be clean and dry. The staff informed the inspector when asked that the linen is individual to each child and all linen is laundered every day on the premise.
- There were waterproof mattress protectors and cellular blankets in use on the cot mattresses.
- There were 3 stackable beds and children's individually labelled linen in sealed bags stored within the storeroom in the pre-school room. The inspector was informed that 1 child in attendance on the day would rest on a stackable bed provided in an allocated quiet and restful area of the care room.

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

Safe Sleep:

- The sleep checks conducted on sleeping children were recorded electronically. The record demonstrated that sleeping children's position, colour and breathing was checked every 10 minutes.

Non-Compliance Information

General Safety:

- An unsecured cable attached to a monitor on the floor of the sleep room posed a risk of strangulation to children.
- Garda vetting disclosures were available for twenty-one adults. However, two Garda vetting disclosures were not dated within the previous three years in adherence with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.

Safe Sleep:

- Staff were not aware of the safe sleep guidelines in respect of the required sleep room temperature for children aged under 2 years, posing a safety risk to children.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

- The 2 Garda vetting disclosures that were outside the timelines have been rectified and are now in date and valid for the next 3 years. A regular check on all staff files will be conducted to ensure that all Garda vetting is up to date and valid.
- The cables have been tidied away and are covered in completely by a wire cover. The cables and plug outlets will be checked on a regular basis to ensure that no wires are exposed in any way to the children.

Safe Sleep:

- All staff currently working in each room attended a short meeting to read the sleep policy and ensure that it was understood. All the staff members returning to work in September will be required to read, understand and sign off on the safe sleep policy.

Supporting documentation submitted

General Safety:

- The renewed Garda vetting for the 2 staff members.
- A photograph of the secured cables.

Safe Sleep:

3. The statement is accepted as evidence together with a written record of the staff attendance at the sleep policy awareness meeting.

Summary Comment

The requirement has been met.

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) The registered provider ensured that there were staff available at all times with appropriate first aid responder (FAR) training. The FAR certifications indicated that 12 staff members held current up to date training and 3 staff members had certifications for current Cardiac First responder training.
- (2) (a) There was a suitable equipped first aid box available to the children attending. The box was stored on a high level wall mounted hook in the hallway between the creche and the downstairs pre-school.
- (b) The first aid equipment was available to the children at all times.

Part VI – Safety

Regulation 28 – Insurance

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

Compliance Information

Click or tap here to enter text.

A copy of the insurance certification for the service was furnished to the inspector.

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, that is full day care.
- the number of children covered by the insurance was for 54 children.
- The expiry date of the current insurance cover was 27/03/'25.