

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015KY048
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Name of Service:	Fossa Community Pre-school
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Address of Service:	Fossa, Killarney, Co. Kerry
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Eircode:	V93 FC9F
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Name of Registered Provider:	Bernie Osterloh
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Service type:	Sessional
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Date(s) of Inspection:	11/12/2023
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No of pre-school children:	<table border="1"> <tr> <td>AM</td> <td>15</td> <td>PM</td> <td>None</td> </tr> </table>	AM	15	PM	None
AM	15	PM	None		

Address of the Early Years Inspectorate:	Áras an Phobail, Deans Lane, Tralee, Co. Kerry.
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Inspection undertaken by:	N. Reidy
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Title:	Early Years Inspector
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Authority to Inspect

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

Conditions if applicable	N/A
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Description of service

Fossa Community Pre-school is a registered community based early years sessional service. The service offers 1 session operating between the hours of 8:50am and 11:50 am Monday to Friday for children aged between the age of 2 years and 6 years. Currently the service provide care for children aged between 2 years 8 months and 5 years. The service operates from a single room in the community centre, the children have access to designated enclosed outdoor play area located in front of the premise.

Staffing

There are 5 adults employed in the service, of whom 1 is the registered provider who does not work in the service with the children.

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 deputy 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*

(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) There is a designated person in charge and there is a named person who can deputize as required. The deputy in charge was available on the premise to facilitate the inspection process as well as caring for the children.
- (b) At all times during the period when the pre-school service is being carried on, either the designated person in charge or the named deputy are on the premises.
- (2) The inspector confirmed with the registered provider that 5 adults were employed in the service, the recruitment records for these 5 adults were reviewed.
- (a) 9 written validated references were on file from a past employer.
- (b) 1 written validated reference was on file from a source other than a past employer.
- (c) A Garda Vetting Disclosure was on file for each of the 5 adults.
- (d) Police Vetting was on file in respect of 1 adult who had resided outside the jurisdiction for a period of longer than 6 consecutive months.
- (4) The 5 adults working directly with the children had attained Quality Qualifications Ireland (QQI) in childcare training at Level 6 and above.

Part II - Registration and Register

Regulation 8 - Notification of change in circumstances

(3) Where a registered provider has been unable for good and proper reason to notify the Agency within the time specified in paragraph (1) or (2), as the case may be, of a change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2), the registered provider shall notify the Agency in writing of the change as soon as possible thereafter.

Non-Compliance Information

(3) On the day of the inspection the service was found to be operating outside its registration status. The service is registered as a sessional service, operating between the hours of 8:50 am and 11:50 pm. There were 13 children that did not depart the service until 12:50pm, they were present for over 3 hours 30 minutes.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The designated person in charge stated that the pre-school has completed a Notification of proposed change in circumstances.

Supporting documentation submitted

The proposed change in circumstances was submitted on 9.02.'24. Following on from this an email on 25.02.'24 from the designated person in charge stated that in consultation with the Board of Directors the service was not proceeding with the proposed change to a part-time service. The service will operate the sessional service to the maximum of 3.5 hours per day.

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

Click or tap here to enter text.

(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 11 months and 5 years. There were 3 adults caring for 15 children for the duration of their stay in the service. The adult child ratio was correct.

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

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 on the day of the inspection were kind, caring, respectful and understanding of the children's needs.
- They each sat with the children supervising, enabling and assisting the children with the play activities during the session. The children played with a selection of the variety of toys and play materials available and accessible stored on low level shelving and on the floor.
- The children played individually, in pairs, in small groups with for example: - the open sand box, the play kitchen and accessories, the playdough, the fire station, blocks in the tuff tray and decorating their individual Christmas trees to take home.
- The adults were observed reminding children to "play nicely" and "share with friends" and praised them for their manners at the mealtime during the session.
- The children sang Christmas Carols whilst the food was prepared by 1 adult and after mealtime they sat for story time "The Wish Cat".
- The service provides and serve the food for the mealtime each day in the service. The children sat at their low-level tables at the mealtime. The food served to them included buttered brown bread, rice cakes, cheese, rice cakes, fruit bananas, apples with milk and water to drink.
- The children were given ample time to eat their food, in a relaxed environment with the adults sitting at the tables assisting with serving the food. The adults re-iterated to the children to take their time eating and offered additional food servings to them.
- Adult seating was in place to enable adults in nurturing and comforting children.
- The children enjoyed freedom of movement within the playroom during the inspection. There were Christmas themed artwork by the children on display and a "family Wall" that displayed the children's family photographs at their eye level.

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

Infection Control:

- The perishable items served to the children were stored in the centre's fridge to prevent food spoilage.
- The children washed their hands after using the toilet, after messy play activities and prior to eating.
- The tables were cleaned with a spray sanitizer before and after the mealtime and after the playdough activity.

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) 4 adults working directly with the children had current First Aid Responder (FAR) training and the certification was maintained in the individual staff files.
- (2)
- (a) 2 first aid boxes were provided stored on a high-level shelf in the playroom.
- (b) The first aid boxes were accessible to the adults at all times and was out of the reach of the children.

Non-Compliance Information

- (1) The first aid box was not adequately stocked. The following items were not in stock: -
- 3 individually wrapped sterile unmedicated wound dressings (extra-large)
 - 6 individually wrapped sterile unmedicated wound dressings (large)-
 - 20 Individually wrapped disinfectant wipes

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The designated person in charge stated the first aid box has been replenished with the items that were not in stock. A record will be kept of what has been used from the first aid box so it can be replaced.

Supporting documentation submitted

The statement is accepted as evidence.

Summary Comment

The requirement has been met.

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 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 9.11.2023.
 - (b) There was documented evidence of the number and type of the firefighting equipment and wired smoke alarms within the early years' service. According to the maintenance record, the firefighting equipment was last serviced in 16.01.'23.
 - (4) A notice of the procedures to be followed in the event of fire was displayed in the service.

Non-Compliance Information

(1)(b) There was no record provided for the maintenance of the smoke alarm. Further correspondence received in the office of the early years inspectorate from the person in charge in the service informed that a service is booked for week beginning 15.01.'24 and the certificate in respect of this will be forwarded to the department.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The designated person in charge stated that an up-to-date fire safety certificate was forwarded to the early years inspectorate on 25.1.'24. The fire safety company will automatically return on a yearly basis to carry out the fire safety inspection.

Supporting documentation submitted

The certificate of servicing/testing of the fire alarm system dated 21.01.'24 was submitted.

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

A copy of the insurance certification for the service was displayed on the playroom notice board.

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/'24

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,*
- (d) cleaned, maintained and repaired, as required,*

Compliance Information

(a) The premise visually appeared sound and stable.

(d) The entire premise was recently painted and was maintained in a clean condition.