

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015KY054
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<b>Name of Service:</b>	Holy Cross Mercy Early Years and School Age Service
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<b>Address of Service:</b>	New Road, Killarney, Co Kerry
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<b>Eircode:</b>	V93 A096
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<b>Name of Registered Provider:</b>	Ursula Coffey
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<b>Service type:</b>	Part Time, Sessional
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<b>Date(s) of Inspection:</b>	03/03/2025
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<b>No of pre-school children:</b>	AM	46	PM	39
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<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, Áras an Phobail, Deans Lane, Tralee, Co. Kerry.
<b>Inspection undertaken by:</b>	N O'Donoghue and N Reidy
<b>Title:</b>	Early Years Inspectors

### 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

This part-time sessional service operates from Holy Cross primary school. It is registered as providing sessional care for children between the ages of 2 years and 6 years. The service operates two sessional services from 08:45am to 11:45am, and 12:00pm to 15:00pm. The service also operates a part-time service from 08:30am to 13:20pm, Monday to Friday. The designated outdoor play area was available and accessible to the children attending.

### Staffing

There were 16 adults attached to the service of which 10 staff were employed to work directly with the children. In addition, there were 2 staff employed for office duties/ to provide relief cover in the care rooms, 1 C.E worker and 2 students. There were 5 staff employed under the Access and Inclusion Model (AIM) Support Scheme. The registered provider does not work 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/supervision. 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 inspectors wish to acknowledge the cooperation of the 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 a named deputy to deputise in her absence as required.
- (b) When the announced inspection commenced, the designated person in charge was on duty to assist with the inspection process.
- (2) The recruitment records in relation to each of the 16 adults attached to the service were inspected.
- (a) There were 26 references from previous employers with records of validation on file.
- (b) There were 6 references from a source other than a previous employer with records of validation on file.
- (c) Garda vetting disclosures had been obtained for all staff. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.
- (d) There was Police vetting on file for 1 adult who resided outside the jurisdiction of Ireland for greater than six consecutive months.
- (4) All staff working directly with the children 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 on file.

### Non-Compliance Information

- (2)(d)
- Police vetting was not available for 1 staff member who resided outside of the jurisdiction for greater than 6 consecutive months as an adult. Not having staff appropriately vetted prior to them commencing in the service may allow inappropriate adults have access to children.
- It was acknowledged the service provided evidence to the office of the Tusla Early Years Inspectorate on 05/03/2025 in respect of the application for the police vetting. The police vetting was applied for by the staff member on 03/03/2025.

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

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

The person in charge ensured police vetting was applied for on the day of inspection. The person in charge reviewed their recruitment policy and will ensure to monitor recruitment files regularly.

### Supporting documentation submitted

The person in charge submitted photographic evidence of the returned Police vetting disclosure.

### Summary Comment

All correspondence including photographic evidence was examined. The non-compliance has been rectified, and 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)-*

*(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) There was an adequate number of staff working with the children at all times.

(3) The adult child ratio was observed as above minimum requirement for the duration of the inspection. The ratios were as follows:

- In preschool room 1, there were 3 staff members working with 19 children aged 3 years to 4 years, 8 children attending on a part-time basis and 8 children attending on a sessional basis.
- In preschool room 2, there were 3 staff members and 1 student working with the 16 children aged 3 years to 4 years, 8 children attending part-time and 8 children attending sessional service.
- In preschool room 3, there were 2 staff members and 1 AIM worker working with 11 children aged 3 years to 4 years, 2 children attending on part-time basis and 9 children attending on a sessional basis.

(8) (a) The person in charge ensured there was 2 staff members 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) There was an enrolment form for each of the children attending the service.

A sample of 11 records were inspected and found to have the required detail as per (a) to (i) inclusive.

### 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:

- Staff supported children with toileting. Staff encouraged independence and provided support as required.
- Good handwashing routines were evident on the day of inspection. Staff supervised children to wash their hands before snack and after playing outside.
- Children had access to soft tissues to clean their noses themselves.
- The snacks on the day of inspection were served at appropriate times.
- There was access to a jug of water and plastic cups if the children did not have a drink. Drink bottles of water were brought in from home, children had access to these bottles at all times.
- Staff provided support to children that needed help when eating and children were encouraged to be self-sufficient.
- Individual child's needs were met, the inspector observed a snack was given to a child when he was expressing his hunger to staff.
- Parents provide morning snacks and evening snacks to the service. These snacks were well balanced and included yoghurts, fruits, sandwiches and crackers.
- The children were seated at their tables during snack time, and staff with them and were observed chatting about their weekend and the snacks they had.
- The children had free access and movement within the playrooms and the outdoor setting.
- A rest/quiet area was available in each room consisting of rubber mats, pillows and cushions if children required it.

##### Supporting Relationships:

- The service engages in a key worker system. This was evident throughout the sessions, individual educational plans and care plans were observed in each room for children who required these.

- Staff completed individual activities with children. These activities included matching colours and pictures, speech development activities including making sounds associated with the pictures they were looking at.
- The staff in each playroom were observed to be caring and kind towards the children and other adults in the room. Staff used soft tones when speaking to the children and spoke to them at child level.
- The staff explained to the inspector that they communicate regularly with the parents, this was demonstrated by the use of a mobile application to communicate with parents daily, sending pictures, videos, notes and messages.
- The person in charge informed the inspectors that weekly formal staff meetings take place.

### Physical Environment:

- Each room in the service had the children's activities and arts crafts displayed. Artwork was also displayed in the corridor for parents to see.
- There were sensory activities in each room, these included individual sand trays, water play at each sink and a balance board. Children were observed to freely move between these activities throughout the day.
- In preschool room 1, staff explained it was literacy week and had made a corner for children to build houses and complete artwork using coloured sticks, paper and glue to correspond with the theme.
- On the day of inspection, the activities were focused around the Three Little Pigs, staff used natural materials, building blocks, sticks and songs to further enhance the child's learning.
- The outdoor area included natural materials such as sticks and branches, building blocks, balance walking beams and age-appropriate benches. The inspector observed that children were playing with books outdoors and role playing the story in their games.

### Programme of Activities:

- The person in charge explained to the inspectors that activities are child led, and staff focus on individual child's needs. This included artwork, pencil grip and language skills activities.
- Short-term, medium-term and long-term plans for the room as a whole were observed in each room, staff updated the short-term throughout the day documenting children's interests.
- Children who did not wish to engage in the planned activities were given the option of choosing which activity they wanted to do, this happened frequently throughout the morning.

## 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 internal and external doors of the service were secured and prevented children from exiting the premises and unauthorised persons to access the service.
- Toys and equipment appeared in good condition and well maintained.
- Blind cords were securely out of reach of children.
- The openable windows were out of reach of children.
- Emergency exits were unobstructed.
- The television cables were out of reach of children.
- Cleaning materials were stored in cupboards and inaccessible to children.
- The outdoor area was secure and enclosed with a fence. Gates were kept secured and staff in the service had access to open them.

##### Infection Control:

- Windows in each room were open which allowed for fresh air circulation.
- Perishable food was observed in the refrigerators.
- Water temperatures were recorded in each sanitary facility between 34°C to 39.5°C.
- Staff were observed cleaning tables and chairs between activities.
- Foot operated bins were available in each room and sanitary facility.

##### Administration of Medication:

- No administration of medication was observed on the day of inspection.
- Anti-febrile medication was available on the premises if the child required it.
- Health care plans were available for each child. Care plans were completed by the service and signed by both parents/guardians and staff.
- All medication was stored in the room, out of reach of children and clearly identified to each staff member in the room, if required.
- All medications were in date and staff explained they were confident in administering the medication.

##### Fire Safety:

- Fire procedures were available in each room, staff were aware of procedures to follow in the event of an emergency.
- Fire equipment were available in each room which included fire extinguishers.
- Fire exits were clear of any obstruction and clearly identified.

### 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) It was evident from the staff rota that there was at least one staff member trained in First Aid Responder available on the premises at all times.

(2)

(a) First aid kits were stored up high, out of reach of children and clearly identified in each room.

(b) The three first aid kits in each room were inspected and all were suitably stocked for the number of children attending the service. These were available for staff to attend to the children if required.

### 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

It was evident throughout the day of inspection that children are supervised at all times, this was observed by staff engaging in supervision by sight and sound. Staff supported children when required. This was observed both indoors and outdoors.

## 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 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 categories of insurance cover for the service.
- the number of children covered by the insurance was for 55 children.
- the expiry date of the current insurance cover was 27/03/'25.