

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015KY060
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<b>Name of Service:</b>	Kilflynn Preschool and Afterschool Club
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<b>Address of Service:</b>	Castletown, Kilflynn, Tralee, Co. Kerry
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<b>Eircode:</b>	V92 E091
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<b>Name of Registered Provider:</b>	Deirdre Herbert
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<b>Service type:</b>	Sessional
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<b>Date(s) of Inspection:</b>	04/09/2023
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<b>No of pre-school children:</b>	AM	08	PM	0
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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

Kilflynn Preschool and Afterschool Club is a private early years service that is registered to cater for children aged between 2 years and 6 years on a sessional basis. The service currently caters for children aged between 2 years 9 months and 5 years. The service is open between the hours of 8:40 am and 12 mid-day Monday to Friday.

### Staffing

There are 2 adults employed in the service that includes the registered provider. There is 1 adult employed under the Access and Inclusion Model (AIM) Support Scheme.

### 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.

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 member 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,*

*(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 registered provider is the designated person in charge and a named person who can deputize as required.

(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 registered provider confirmed that 2 adults work in the service, therefore recruitment records in relation to these adults were reviewed.

(a) 3 validated references were on file from a past employer.

(b) 1 validated reference was on file from a past employer.

(c) A Garda Vetting Disclosure was on file in respect of the 2 adults.

(d) Police Vetting was on file for 1 adult who had resided outside the jurisdiction for a period of 6 consecutive months.

(3) The procedures specified in paragraph (2) were carried out prior to the adults were appointed, assigned or allowed access to or contact with a child attending the pre-school service

(4) The adults working directly with the children had attained Quality Qualifications Ireland (QQI) in childcare training at Level 6 to level 8. The registered provider had completed QQI level 8 since the last inspection.

### 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) Throughout the period of inspection, the registered provider did ensure that there was an adequate number of adults caring for the children present.
- (3) There were 2 adults working with 8 children aged between 2 years 9 months and 4 years attending on a sessional basis. 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) The 8 records for each child enrolled in the service were inspected. The records had the required detail as per(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;*

#### Compliance Information

- (1) The following records were maintained:
- (h) details of attendance by a child on a daily basis.
  - (i) details of staff rosters on a daily basis.

## 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

- Healthy eating was promoted in the service, this was evidenced through the children's snacks provided by the parents, which included a selection of food such as sandwiches, yogurts and a variety of fruit.
- Drinking water was accessible to the children both during and outside of the designated mealtimes. The individually labelled drinks bottles were accessible to the children on the low-level shelving in the playroom.
- The staff encouraged and reminded the children to drink water throughout the session and re-filled the water bottles as needed.
- The staff sat at the tables with the children throughout the mealtime, assisting and encouraging them to eat their food and reminding them to take "small bites".
- Activities were available for children who had finished their food before the others.

- The children had plenty of time to eat their food in a relaxed unhurried environment with pleasant social interaction between the children and the adults.
- The children had access to the various play equipment and materials available in the service that were stored on low level open shelving, within boxes and on the floor.
- The children had direct access to the toilets located within the playroom. The inspector observed the staff were sensitive and understanding of children's individual toileting needs, assisting children as was needed in a discreet, kind manner and offering re-assurance to the children.
- A designated fully enclosed outdoor play area was provided for the children. The area which was accessible from the playroom had a partially covered in area, a grass and concrete surface under foot. There was a selection of play equipment and materials for children to play with and benches to sit on.

### SUPPORTING RELATIONSHIPS

- The children appeared to be happy and content during the session whilst partaking in individual playtime, small group and large group time.
- The adults were observed to be caring and kind in interacting with the children, they spoke to the children in soft tones of voice and were sensitive to children's individual needs for example comforting children who became upset and re-directing them with a play activity.
- The adults used positive language praising children, "good job", "take turns", "well done" and issued gentle reminders for using their manners.
- The adults were observed meeting and greeting parents at collection times in a friendly professional manner.

### 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 outdoor play area was secured, enclosed with concrete walls, timber fencing and gates.
- The oil tank situated in the outdoor play area was rendered inaccessible to the children, it was enclosed by a secure fence.
- The fire exit door was unobstructed.
- To ensure safe storage of cleaning agents out of the reach of the children, they were stored on a high-level shelf.

##### Infection Control:

- There was a fridge provided for the children's perishable food items.

#### Non-Compliance Information

##### Infection Control:

1. There was no warm water provided at the wash hand basin in the children's sanitary accommodation and at the sink in the playroom which impeded effective hand washing by the staff and the children, increasing the risk of the spread of infection.

#### Action submitted by the Registered Provider

The registered provider stated that: -

##### Corrective & Preventive Action

##### Infection Control:

1. The hot water in both taps is now working and a new valve has been fitted to address the water pressure.

##### Supporting documentation submitted

##### Infection Control:

The statement is accepted as evidence.

#### Summary Comment

The requirement has been met. This will be examined at the next inspection.

### 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 2 adults working in the service had current First Aid Responder training and the certifications for same were on file.

(2)

(a) The first aid box was adequately equipped and was maintained on a high-level cupboard in the playroom.

(b) The first aid supplies were readily available throughout the hours of operation.

### 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)(a) There was a template to record the monthly fire drills. The last recorded fire drill was 20 /06/'23 prior to the summer holidays.

(a) A record of the number, type and maintenance checks of the firefighting equipment and the smoke alarm.

The records on file demonstrated the last check on the fire extinguishers and the smoke alarm was 26/08/2022. The registered provider informed the inspector that a booking for this month for the maintenance of the firefighting equipment and the smoke alarm.

(4) A notice of the procedures to be followed in the event of fire was displayed in the playroom.

## 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 on file.

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-*

- (b) safe and secure,*
- (e) equipped with adequate and suitable sanitary facilities.*

#### Compliance Information

- (b) The premise was secured. The front door was secured to prevent children gaining unsupervised access out and unauthorised access in.

#### Non-Compliance Information

- (e) There were no suitable doors on the 2 partitioned toilets to provide children with privacy. The 2<sup>nd</sup> toilet had been installed since the last inspection.

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

The registered provider stated that: -

#### Corrective and Preventive Action

- (e) A door with a lock will be fitted to the toilet on the right-hand side. 1 toilet and 1 sink is sufficient for the number of children in the service. Further correspondence received from the registered provider confirmed that a high-level lock is in place on the inside of the door.

#### Supporting documentation submitted

- (f) A photograph of the said door in place.

#### Summary Comment

The requirement has been met. This will be examined at the next inspection.