

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015KY085
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<b>Name of Service:</b>	Muire Gan Smal Childcare
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<b>Address of Service:</b>	Presentation Primary School, Castleisland, Co Kerry.
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<b>Eircode:</b>	V92 P803
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<b>Name of Registered Provider:</b>	Seamus Moynihan
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<b>Service type:</b>	Part-time
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<b>Date of Inspection:</b>	05/12/2023
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<b>No of pre-school children:</b>	AM	17	PM	9
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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

Muire Gan Smal Childcare is a part-time day-care service, located in the Presentation primary school in the urban setting of Castleisland.

A service is provided to children aged between 2 years and 6 years and the service is open from Monday to Friday between 08:30 and 13.30 hours (including a sessional service from 09:00 to 12:00 hours for 38 weeks of the year).

A registered school age service is also provided for the children of the attached primary school. The premise consists of two rooms, a kitchen area, an office and sanitary facilities. The premises is single storey and is a part of the school premises. There is a dedicated and accessible outdoor secure area adjacent to the care rooms.

### Staffing

There are five adults employed in the service and a student is attending for work experience. Four of the five staff were present on the day of inspection. All four staff and the student were working directly 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 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 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,*

*(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 ensured that there was a person in charge in the service during the operation of the service. On the day of inspection, the person in charge was on site. There was a named deputy for the service in the event the person in charge was not onsite, this person was also onsite on the day of inspection.

(b) The staff roster indicated there was at all times a named a person in charge or a named deputy onsite.

(2) There were five staff and a student named as being available to work in the service. All six adults' files were assessed.

(a) Of the 12 references required for the six adults, 11 were available from past employers and nine of these references were validated as required.

(b) The remaining reference was available from a source other than a past employer and this reference was validated.

(c) Up to date Garda Vetting was available on file for each of the six adults named as working in the service.

(d) Police vetting was on file for one of the two adults that required same.

(4) All five staff that work with the children daily were qualified at Level 5 to Level 8 on the National Qualifications Framework.

### Non-Compliance Information

(2) (a) Two references on file were not validated by the registered provider.

(d) Police vetting was not on file for one adult in the service that had resided outside of Ireland for greater than 6 months as an adult. Not having adequate vetting for all adults on the premises with access to children may allow adults that are not appropriate have access to children.

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

#### Corrective and Preventive Action

(2) (a) Both references have been validated.

(d) The outstanding police vetting has been obtained.

### **Supporting documentation submitted**

(2) (a) A copy of both validations has been received for review and are in keeping with best practice.

(d) A copy of the requisite police vetting has been received.

The registered provider has committed to ensuring all relevant paperwork is in place for each staff member and student prior to their commencement in the service.

### **Summary Comment**

Following receipt of the corrective and preventive action form and the assurances received 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 service had policies as required under Schedule 5 of the Regulations.

### **Non-Compliance Information**

1. The healthy eating policy was reviewed and it did not set out clear guidance on the measures that sufficient, suitable and nutritious food and drink are available to the children attending the service on a sessional and part-time basis. The policy did not indicate how food is safely stored and served. Not having a policy that sets out clear guidance on healthy food provision for the service type and how food is stored and served may allow for insufficient/inappropriate food being served to the children.
2. The infection control and exclusion policy indicated incidents of when children would be excluded however it did not indicate how the service manages in the event of a case of a communicable disease where children attending the service are not vaccinated.

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

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

1. The healthy eating policy has been updated.
2. The infection control policy has been updated.

## Supporting documentation submitted

1. A copy of the healthy eating policy has been received.
2. A copy of the infection control policy inclusive of the aspect of the policy that indicates the management of exclusion from the service in the event of a communicable illness.

## Summary Comment

Following receipt of the corrective and preventive action form, the policies as received and the assurances given the requirements for this Regulation have 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.*

## Compliance Information

- (1) There were adequate staff available to the children on the day of inspection to meet the needs of the children in attendance.
- (2) The adult child ratio was correct during the inspection.

The morning session:

The Buds group had nine children aged 2-4 years in attendance and who were cared for by two adults.

The Blossoms group had seven children aged 4 years in attendance and were cared for by one adult.

Nine children in total remained on in the service for part time care, these children were aged 2-4 years and were cared for by two/three adults from the end of the sessional service to the end of the part-time service.

Breaks were covered when additional staff arrived at the service and when the sessional service was over.

## 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 were 17 children attending the service on the day of inspection. An enrolment form was available for each of the children in attendance. Of these files 13 were assessed for completeness.
- The records as set out in (a) – (i) above were complete ensuring the information held about each child, their needs and requirements were known to the staff in the service.

### 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

(1) (a)

##### Basic Needs

- The children in each of the two care rooms ate together for their snack in the morning. The children that remained on for the part-time service between the two rooms ate together in the Buds room in the afternoon.
- The water bottles for each child were easily accessible throughout the day and children were observed to access their drinks as required.
- The children used the toilet when needed and the children who needed assistance were helped and reminded to wash their hands.
- Nappies were changed when required and the engagement noted with the child during nappy changing was relaxed.
- Children dressed in full cover tee shirts to protect their clothes when painting in the Blossoms room.
- The children attending Buds and Blossoms rooms had child height couches accessible to them, this would allow them to rest and opt out of activities if they wished to do so.
- The child who required an individual access and inclusion plan had same available and this was completed by the staff and the early years specialist and with engagement by parents as required.
- The temperatures in the Buds room was recorded at 17.8°C. allowing for a comfortable play environment. The day of inspection the temperature outside were below 3°C.
- Childrens handwashing and personal hygiene was assisted by the staff.

##### Supporting Relationships Around Children:

- Mealtime was sociable with the staff in both rooms sitting with and eating with the children. This created a sociable environment and demonstrated normal mealtime experiences.
- The staff caring for the children created a supportive environment, assisting each child as required with snacks, painting or other activities such as playing with blocks, bricks, coloured rice and moulding clay.

- Children were observed to play together in small or large groups and for one or two to play alone and opt out of group activities.
- A family wall was evident in both care rooms and the photographs of each child's family were at a height accessible to the children. This supported the children should they wish to see their family when upset or lonely.
- Children were encouraged in their activities and the children in the Blossoms room were observed to be given jobs during tidy up time and when handing out lunches and drinks which supported them to be independent thinkers.
- Communication with parents and guardians was at drop off and collection.
- Transitions were managed by giving adequate notice of changes in the day. Notice was given and clean up songs were sung. Transitioning to home was managed on a one-by-one basis with each child helped with coats/hats/bags before being handed over to the person collecting each child.

### **Physical And Material Environment:**

- Both playrooms had appropriate height tables and chairs.
- Sensory experiences were developed through playing with moulding clay, play with coloured rice, gluing and painting.
- Fine motor development was encouraged through the use of activity boards, shape sorters and when doing arts and crafts.
- Gross motor development was evidenced inside as the outdoor play space did not thaw for the session. The children sang songs and did the actions.
- Imaginary play was developed through room layout in home, dress up, work bench and shop areas.
- Sensory play was supported with arts and crafts, moulding clay and with coloured rice in tables.

### **Programme Of Activities**

- The plan for each day was similar with accessing the outdoor space a significant part of each day, the outdoor space was inaccessible for the day of inspection due to a heavy frost that did not thaw for the entire session. For safety reasons the children were not taken outside but the programme of activities did outline the extent to which the children could play outdoors.
- All children were noted to have the opportunity to learn through play for example: the children's fine motor skills developed through arts and crafts and through the use of blocks, bricks and shape sorters.

Their speech and language was supported through the reading of books in the larger group as observed in the Blossoms room and through conversations observed in both rooms. The children in the Buds rooms were observed to sing and dance.

- Children were afforded the opportunity to choose their own activities and when group play was happening, they were allowed to move about freely as needed.

### Outdoor Area:

The outdoor area was adjacent to the service.

- The area was covered in artificial grass and had a concrete pathway. The concrete path and part of the grass area was covered by an awning that allowed the children use the outdoor space when it was raining.
- The children had access to a playhouse, to a play ship, slides and ladders and to ride on toys that all were in good condition.
- The covered area had tables and chairs and activities for tabletop play so all children could enjoy the outdoor space.

## 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 entrance to the service was secured and could only be accessed by buzzer entry. This buzzer entry was monitored by camera. The gate to the outdoor area was secured. These measures ensured that no child could gain unauthorised access to the outside carpark. The external doors of the service were secured with a push bar lock.
- The doors to the office and to the kitchen area were secured. The children could not gain access to the school.
- The temperature of the hot water in both care rooms was recorded at 31.2 and at 35.6°C in the Buds and Blossoms rooms respectively. The wash hand basins in the toilets for the children had hot water recorded at 32.4°C.
- The fire exits were unobstructed and easily opened on the day of inspection.

- The window openings were out of the reach of the children and where a child could access a window this window was locked.
- There were no hot drinks consumed in the service during its operation.
- All toys were in good condition with no pinch or crush points noted.
- Cleaning and disinfection products were stored out of reach of the children. No loose or exposed electric cables were evident in the care rooms.

### Infection Control:

The service followed best practice guidelines in the management of the spread of infection for the following:

- A cleaning schedule was observed and signed by the staff in the Buds room.
- The tables were cleaned before and after snack time and after messy play with a cleaning product suitable for use with children.
- There was hot water available in the children's and adult toilets. Liquid soap and paper towels were available at all sinks to ensure the children and staff could wash their hands as required, and paper waste was disposed of in pedal operated lidded bins.
- Some of the perishable items such as cheese and yogurts from the children's snacks from both care rooms were stored in the fridge to prevent contamination and potential illness from perishable items contained in the snacks.
- Children were observed to wash their hands after messy and outdoor play, after toileting and before eating.

### Fire Safety:

- The fire extinguishers were not accessible to the children.
- The fire exit door was not obstructed.

### Non-Compliance Information

#### Infection Control:

1. The meat sandwiches in the children's lunches were not stored in the fridge and were stored in the school bags in the warm corridor, this could potentially allow for the growth of bacteria on the sliced meats and cause an illness in a child.
2. The bags of the children were stored on the ground in the corridor, and this poses a risk of contamination and cross infection.
3. The bin used to store soiled nappies required handling to open and twist closed, the multiple times of contact with the bin poses a risk of contamination and cross infection.

- The blue couches in both care rooms were torn at the corners which exposed foam, this did not allow for ease of cleaning and could be a source of contamination and poses a risk of cross infection to the children.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

##### Infection Control:

- The children's lunches and snacks are stored in the fridge.
- The children school bags are stored on each child's individual hook.
- The twist top bin has been removed and replaced with a pedal operated lidded bin for the disposal of nappies. The registered provider has committed to emptying the bin at the end of each session.
- The blue torn couches have been removed and new couches have been purchased.

#### Supporting documentation submitted

##### Infection Control:

- Photographic evidence of the snacks and lunches stored in the fridge has been received.
- The assurances received from the registered provider as accepted that the bags are now stored off the ground.
- Photographic evidence of the new bin has been received.
- A receipt for the purchase of the new couches has been received.

### Summary Comment

Following receipt of the corrective and preventive action form, the assurances given and the evidence received the requirements for this Regulation have 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.*

#### Compliance Information

- Records available indicated that three staff had up to date training in first aid responder. This ensured that the children attending the service had a person trained in first aid immediately available to them at all times.

### 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.
- (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) The last fire drill was completed on 24.11.2023, evidence was available to indicate that monthly fire drills had been completed.
  - (b) The service records for the firefighting equipment indicated the equipment was serviced on 22<sup>nd</sup> November 2022, with the service person due to the service within the week. The service record for the smoke detection equipment (Alarm) indicated the smoke detectors were last serviced on 14.02.2023.
- (2) (c) The records as above were open for inspection by the inspector.
- (4) The notice for the procedure to follow in the event of an emergency was displayed on the notice board.

### Part VI - Safety

#### Regulation 28 - Insurance

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

#### Compliance Information

The services insurance record stated the service was insured for 33 pre-school children to attend at any one time and to operate as a part-time service. The insurance also indicated the cover for 25 school aged children to attend. The insurance is in date until 27.03.2024.