

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015KY089
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<b>Name of Service:</b>	Naíonra Annascaul CLG
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<b>Address of Service:</b>	Sports Hall, Annascaul, Co. Kerry
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<b>Eircode:</b>	V92 AE4Y
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<b>Name of Registered Provider:</b>	Eileen Moriarty
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<b>Service type:</b>	Sessional
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<b>Date(s) of Inspection:</b>	21/01/2025
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<b>No of pre-school children:</b>	AM	05	PM	0
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<b>Address of the Early Years Inspectorate:</b>	Áras an Phobail, Deans Lane, Tralee, Co. Kerry.
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<b>Inspection undertaken by:</b>	N. Reidy
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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

Naíonra Annascaul CLG is a registered community based early years service that is registered to provide sessional care for children between the age of 2 years and 6 years. The service currently offers 1 session operating between the hours of 9:20am and 12:20 pm Monday to Friday. The service operates from a room on the ground floor in Annascaul Community Sports centre with a designated enclosed indoor hall available to the children's use.

### Staffing

Currently, there are 2 adults employed by the service who work with the children. The registered provider is not service based and there is 1 student who is on placement in the service. Each of the 2 adults who are employed to work directly with the children have attained a relevant award in Early Childhood Care and Education. The adults working with the children had completed up to date first aid responder (FAR) training and Children First training.

### 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 staff and children who were present on the day of the inspection.

## Part II - Registration and Register

### Regulation 8 - Notification of change in circumstances

*(1) A registered provider of a pre-school service other than a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed 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) at least 60 days before it is proposed that the change would take effect.*

### Non-Compliance Information

- (1) On inspection the service was founded to be operating outside its registration status in respect of the age profile of the children registered as catering for aged between 2 years 6 months and 5 years. On the day of the inspection the service was catering for 1 child aged 16 months.

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

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

A Change in Circumstances (CIC) was submitted to change the age range of the children to under two years old. Upon further consideration the service withdrew the CIC application. The service has stated they will not provide care to children under the age of two years old. Should a decision in the future to change the age range of the children catered for the service will submit a CIC.

#### **Supporting documentation submitted**

The statement is accepted as evidence.

### Summary Comment

The CIC submitted in respect of changing the age range of the children attending the service to under two years old was withdrawn by the service.

The service state they no longer cater for children under the age of two years old.

The requirement for this regulation has been met.

### 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,*
- (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 staff remained available to assist with the inspection process.

(2) The person in charge informed the inspector that 3 adults that were employed in the service for the last inspection conducted on 04/06/'24 are currently employed in the service.

The recruitment records in respect of the 3 adults were found to compliant on the last inspection.

In addition, there is 1 student under the age of 16 years working in the service. The students records and the Garda vetting that required renewal in respect on 1 adult since the last inspection were reviewed for this inspection.

(a) 2 validated references from previous employers were on file.

(b) Not applicable as the references on file were from a source other than previous employers.

(c) The service had demonstrated compliance with the Early Years Inspectorate Regulatory notice requiring services to renew Garda vetting every 3 years in respect of 1 adult requiring it since the last inspection. Garda vetting was now required for the student on placement who was under the age of 16 years.

(d) Not applicable.

(4) The 2 adults employed to work 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 maintained on file and displayed on the playroom notice board.

### 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.*

### 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 attending the service.
- (3) There were 2 adults caring for 5 children, 1 child aged 16 months and 4 children aged between 3 years and 5 years, attending the service on a sessional basis. The adult child ratio was correct.
- (8)(c) Not applicable as the service does not currently operate single-handedly.

### 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) A record in writing was kept in relation to the following: -
- (h) details of attendance for the children attending the creche.
  - (i) details of staff roster for the pre-school room.
  - (j) The person in charge informed the inspector that no child in attendance was in receipt of medication. An administration of medication record book was on file, the last completed record was 22.9.202.
  - (k) There was a designated book to record details of any accident, injury or incident involving a child attending the service. There were 6 records inspected each of the records had the required details 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 present were observed to be kind and caring towards the children. They communicated with the children in low soft tones of voice.
- The staff were observed meeting and greeting parents/guardians in the playroom at the departure time in a friendly and in a professional manner.
- The parents of the children attending provided the food consumed in the service.
- The inspector was informed that a supply of bottled water is kept in the service for children. The children had access to their drink's that were stored in the fridge and in their bags after the mealtime.
- The children's individual needs were accommodated for example a child had some food to eat following communication to the staff that she was hungry. The child had plenty of time to eat sitting on the low-level chair at the low-level table before resuming playtime.
- There was a helper system in place whereby a nominated child distributed the children's lunch bags from the fridge to the children at the mealtime with adult supervision.
- The children placed their lunch bags in their allocated cubbies within the playroom after eating.
- The staff encouraged and supported the children to feed themselves independently assisting the children with tasks such as opening food packaging and drink's bottles.
- The children were encouraged to assist each other for example opening a drink's bottle under staff supervision and they were praised for their efforts.
- The mealtime observed was relaxed and unhurried where pleasant social interaction between the children and the adults took place. For example, feeding chickens at home and how to clean their shoes after playing outdoors.
- The food observed on inspection included a selection of fruit, sandwiches, crackers and yogurts.
- Children who had finished before the others went to play, choosing from the variety of toys provided in the playroom.

- On the day of the inspection the children did not have access to the indoor hall as it was in use by the nearby national school children.
- There was a selection of handwashing signs and visual cards in relation to the steps for using the toilet and for the daily routine in the service. These visuals were displayed at the children's eye level, they encouraged and supported the children in developing self-help and personal care skills.
- The children had unrestricted access to the toilets located outside the playroom.
- The children's individual toileting needs were met during the session.
- The staff encouraged and supported the children in becoming independent with using the toilet and the children were allowed to take their time. The staff reminded the children to wash their hands after using the toilet and praised the children for their efforts.

### **PHYSICAL AND MATERIAL ENVIRONMENT**

- The service was beautifully decorated with a selection of various artwork the children had done, for example the snow storms, it was displayed at the entrance area leading to the entrance and within the playroom.
- The children had access to a rest/relaxation area that comprised of soft seating with vinyl covering and a number of soft mats on the floor.
- The children had freedom of movement within the spacious room. They had access to each of the resourced play areas.

### 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:

- There was a secure gate in place to prevent children accessing the kitchenette area in the playroom.
- The external door with the viewing panel was so secured to prevent children from exiting unsupervised and to restrict unauthorised access. The inspector and visitors to the service were allowed access by the staff members via the electronic push button-controlled panel in the playroom.
- The alarmed fire door with the low-level push bar openable handle was unobstructed and the alarm was in working order.
- The temperature of the warm water provided at the sinks used by the children was recorded, it did not exceed 43 degrees Celsius.
- At the end of the inspection the hall area was not occupied, the double fire door that was founded non-compliant at the last inspection was in working order, there was no chair on the low-level push bar openable handle.
- The person in charge informed the inspector that the storeroom located in the hall is locked on each occasion the hall is used by them.

##### Infection Control:

- The children's perishable food items were stored in the fridge.
- The children were observed to wash their hands before the mealtime and after using the toilet.
- Tissues were provided and available to the children on a low-level shelf for children to clean their noses.
- The service had a designated labelled box used to store used mouthed toys which are washed in the dishwasher located in the kitchenette.
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##### Administration of Medication:

- The inspector was informed that no child in attendance was in receipt of medication.

### 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 2 adults that work with the children each day had up to date FAR training with the FAR certifications displayed in the playroom and within the staff files.
- (2) (a) There was a suitably equipped first aid box stored on a high-level hook in the playroom.
- (b) The first aid equipment was available to the children 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.*

*(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 in writing a record of the following: -
- (a) A template to record each fire drill that had taken place in the service. The last recorded fire drill took place on 09/12/'24.
- (b) 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 for the smoke alarm was 13.02.'24 and for the firefighting equipment was 07/05/'24.
- (4) A notice of the procedures to be followed in the event of fire was displayed in the service

## Part VII - Premises and Space Requirements

### Regulation 29 - Premises

*A registered provider shall ensure that the premises of the service are-*  
*(c) kept adequately lit, heated and ventilated*

#### Compliance Information

- (c)
- Within the playroom natural lighting was provided through windows and the glass panel on the fire door and this was supplemented with artificial lighting via 5 enclosed light fittings. The children's sanitary accommodated had an enclosed light.
  - Openable windows for natural ventilation were in place in the playroom.
  - Adequate heating was ensured in the playroom to ensure the room temperature was within the range of 18-22 degrees Celsius.

#### Non-Compliance Information

- (c) 1. The air temperature of the children's sanitary accommodation was recorded at 16 degrees Celsius. There was no means of heating provided in the area.
2. The mechanical ventilation in the children's sanitary accommodation was not in working order.

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

##### Corrective and Preventive Action

1.& 2. An electrician will carry out the work and fix the mechanical ventilation and install a fan heater week beginning 10.03.'25.

##### Supporting documentation submitted

The statement is accepted as evidence.

#### Summary Comment

The regulation remains non-compliant. This will be the subject of inspection at the next inspection.