

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015KY103
Name of Service:	Oakview Village Childcare
Address of Service:	Orchard Way, Oakview Village, Tralee, Co. Kerry
Eircode:	V92 X516
Name of Registered Provider:	Timothy Crean
Service type:	Full Day
Date(s) of Inspection:	13/05/2024
Date 2 of Inspection:	14/05/2024

No of pre-school children 13/05/2024	AM	101	PM	76
No of pre-school children 14/05/2024	AM	99	PM	71

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

Conditions if applicable	N/A
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Description of service

Oakview Village Childcare is a privately owned early years' service that provides full day care, part-time and sessional care, catering for children between the age of 0 to 6 years. The service operates between the hours of 07:30 am and 6:30 pm Monday to Friday inclusive, incorporating the Early Childhood Care and Education (ECCE) Scheme. The premise is a purpose-built facility, there are six playrooms allocated to early years children. The service provides school aged care. There are designated enclosed outdoor play areas situated to the rear and to the side of the building available and accessible to the children each day.

Staffing

Currently, there are 35 adults employed by the service, 26 of whom work with the children who attend the service. The registered provider is not service based, there are officer administrators, a maintenance person, a cleaner, and an allocated person for the meal preparation in the kitchen who do not work directly with the children. In addition, there were 4 students undertaking placement. There were 3 adults employed under the Access and Inclusion Model (AIM) Support Scheme.

Each of the adults who are employed to work directly with the children have attained a relevant award in Early Childhood Care and Education

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 registered provider, person in charge, deputy in charge, all 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) 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 in the service and both remained available to assist with the inspection process over the two days of the inspection.
- (2) The recruitment records in relation to each of the 35 adults attached to the service were inspected.
- (a) Fifty references were from previous employers with records of validation were on file.
 - (b) Twenty references were from sources other than previous employers with records of validation on file.
 - (c) Garda vetting was on file for each of the 35 adults. The service had demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years in respect of each of the applicable adults.
 - (d) Police vetting was on file in respect of 7 adults, who had lived outside the jurisdiction.
- (4) The staff members working directly with the children had achieved major awards in Early Childhood Care and Education, as listed on the National Framework of Qualifications (NFQ) or a qualification deemed by the Minister to be equivalent, with copies of the relevant qualifications and associated paperwork maintained on file.

Non-Compliance Information

- (2)
- (d) Police vetting was not on file for three adults who required it. It was acknowledged that Police vetting had been applied for in respect of the said adults and the inspector was furnished with the relevant paperwork.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The three staff have since received their Police vetting. Control measures are in place with administrative supports employed to ensure that all Police clearance has been received and verified before employment begins.

Supporting documentation submitted

Police vetting for each of the three adults.

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.

(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.

(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)

The registered provider did ensure that an adequate number of adults were working directly with the children at all times.

(2)

The 6 care rooms were in operation on the days of the inspection as listed hereunder: -

Nursery

On 13/5/'24 there were 5 adults of whom 2 were on student placement, caring for 14 children aged between 0 and 2 years, 4 children were aged under 1 year, all attending on a part-time full day care basis.

On 15/5/'24 there were 5 adults of whom 1 was on student placement caring for 13 children aged between 0 and 2 years, 4 children were aged under 1 year, all attending on a part-time full day care basis.

Junior playschool

On 13/5/'24 there were 4 adults, of whom 1 was on student placement caring for 17 children aged between 2 and 3 years, 16 children attending on a full day care basis and 1 child attending on a sessional basis.

On 14/5/'24 there were 4 adults caring for 16 children aged between 1 and 3 years, 14 children attending on a full day care basis and 2 children attending on a sessional basis.

Pre-school Room 1

On 13/5/'24 there were 4 adults of whom 1 was a student on placement caring for 16 children aged between 3 and 5 years, 5 children attending on a sessional basis and 11 children attending on a full day care basis.

On day 2 of the inspection there were 2 adults caring for 16 children aged between 3 and 5 years, 3 children attending on a sessional basis and 13 children attending on a full day care basis.

Pre-school 2

On 13/5/'24 there were 3 adults caring for 19 children aged between 3 years and 4 years, 11 children attending on a full day care basis and 8 children attending on a sessional basis.

On 14/5/'24 there were 3 adults caring for 19 children aged between 3 years and 4 years, 12 children attending on a full day care basis and 7 children attending on a sessional basis.

Pre-school 3

On 13/5/'24 there were 3 adults caring for 15 children aged between 3 years and 4 years, 12 children attending on a part-time full day care basis and 3 children attending on a sessional basis.

On 14/5/'24 there were 3 adults caring for 15 children aged between 3 years and 4 years, 11 children attending on a part-time full day care basis and 4 children attending on a sessional basis.

Naíonra

On 13/5/'24 there were 3 adults caring for 20 children aged between 4 and 5 years, 14 children attending on a full day care basis and 6 children attending on a sessional basis.

On 14/5/'24 there were 3 adults caring for 20 children aged between 4 and 5 years, 14 children attending on a full day care basis and 6 children attending on a sessional basis.

The adult child ratio was correct with the exception of the Nursery on the morning of 13/05/'24.

(8)(a) The registered provider did ensure that 2 adults are on the premises during the hours of operation.

Non-Compliance Information

(2) A sufficient number of qualified staff were not working with the children in the Nursery on the morning of 13/05/'24.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2) There was one adult studying to complete a major award in Early Childhood Care and Education. Management had been informed that she had completed her studies. Control measures are now in place, administrative supports have been employed to ensure that evidence of qualification is obtained before employment begins.

Supporting documentation submitted

(2) The letter issued by the service demonstrating cessation of employment issued on 13.05.'24.

Summary Comment

The requirement has been met.

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 adults caring for the children were observed to be kind and caring towards the children. They were responsive to the children's individual needs, and they acknowledged the children for their efforts and comforted and re-assured them when upset.
- The children had opportunities to move about freely and explore their environment within the playrooms and in the allocated outdoor area.
- The service had safe and comfortable spaces for the infants, toddlers and for the children not walking to roll, crawl and lie down, pull them themselves up and to practice learning to walk. The younger children had access to a dedicated fully enclosed space in the nursery that protected them from children who are more mobile. The area was furnished with a variety of soft comfortable matting, cushions and toys.
- The children had access to drinking water during the day should they become thirsty. The individual drinks bottles were accessible in the playrooms on low level shelving.
- Nappy changing was carried out in a timely manner as was required in the designated nappy changing facilities.
- The inspector observed children's privacy and dignity was respected during nappy changing and toileting. The adults communicated freely with the children whilst changing their nappies.
- Children were observed to have unrestricted access to the toilets located within the playrooms with the adults on hand to supervise.
- The playrooms were bright, spacious and colourfully decorated. The layout of the playrooms afforded children sufficient space to move about freely and independently explore the range of toys and play materials that were available and accessible on the open shelving.
- The adults were observed to be cognisant of the children's individual cues of tiredness demonstrating their need for rest and sleep.
- The children rested and slept when they were tired throughout the day.

- Healthy eating is promoted within the service.
- The main meal of the day is supplied by an outside catering company and is re-heated by a designated person working in the allocated kitchen. The service supply some of the children’s snacks throughout the day. A supply of bread, crackers, a variety of fruit, cereals and cheese for example were in stock.
- A supply of clean feeding bibs were available to the younger children to protect their clothing at mealtimes.
- Outdoor play was accommodated at various intervals throughout the days of the inspection despite the poor weather conditions. The inspector was informed that siblings are facilitated to play together in the outdoor areas.

Part V - Care of Child in Pre-school Service

Regulation 20 – Facilities for rest and play

(1) Subject to this regulation, a registered provider shall ensure that-

(b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.

Compliance Information

(1)
(b) Comfortable rest areas were available in each playroom consisting of couches, soft matting and a variety of cushions. The children attending the service under the age of 2 years on inspection were provided with standard cots for sleep. There were two designated sleep rooms located within the nursery, and a designated rest room in the junior playschool. A supply of clean dry linen for the cots was provided.

There was a number of stackable beds and a supply of foldable matting were provided to meet the sleep requirements of children aged over 2 years with suitable linen There was an adequate number of beds provided for the number of children aged over 2 years who required a rest.

The inspector observed the sleep requirements of the children were accommodated as needed. The adults remained with the children in the sleep rooms serving the nursery until they were settled.

The inspector observed the adults supervising the children sleeping in the stackable beds in the designated rest room serving the Junior playroom, in the junior playroom itself and the remaining playrooms.

The adults comforted the children, facilitated to keep their soft toy with them on the bed and played soft relaxing background music in the rooms, with the blinds pulled down and the lighting off to facilitate a restful environment.

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 external door was appropriately secured to prevent children from exiting the building unsupervised and to restrict unauthorised persons from gaining access to the premise. A buzzer entry system was in place at the main entrance for parents, guardians and visitors to the centre.
- The kitchenettes in the nursery, in the junior playschool and the main kitchen were secured.
- The emergency exit doors were observed to be unobstructed.
- The inspector observed a group of children using the stairs to go to the outdoor play area. The staff members reminded and ensured the children to hold onto the handrail supervising them at all times.
- The outdoor play area was secured with fencing, walls and gates.

Infection Control:

- The children washed their hands after using the toilet and prior to mealtimes for example with the staff assisting the younger children.
- The nappy changing units, their surrounds and mats were observed to be clean and dry. The areas and mats were sanitised down after each use.
- For nappy changing the staff wore single-use disposable gloves and single use disposable aprons which were removed after each use. The staff washed their hands and assisted the children to wash their hands afterwards.
- The children's toiletries were individually labelled.
- The inspector was informed of the laundering of bed linen within the service and all bed linen in use was observed to be clean and dry.

Safe Sleep:

- Regular physical sleep checks of sleeping children in the designated sleep room were conducted. The records were electronically stored and included the children's position, breathing pattern and skin colour and the room temperature.

Non-Compliance Information

Infection Control:

- On the morning of 13/05/'24 an instantaneous supply of warm water was not provided at the sinks in the sanitary accommodation serving the Naíonra and pre-school room 1 to facilitate effective hygienic hand washing. It was acknowledged the warm water was restored on the day without delay once management was informed, an instantaneous supply of warm water was available thereafter.

Action submitted by the Registered Provider

Corrective & Preventive Action

Infection Control:

- On the day of the inspection, maintenance immediately rectified the issue once management was informed of the issue. All staff have been advised to immediately inform management if there is any disruption to the supply of hot water so that corrective action can be taken. Management will check the hot water supply throughout the day to ensure that an instantaneous supply of warm water is available in all care rooms.

Supporting documentation submitted

Infection Control:

- The notice issued to the staff informing them to report issues to management and a sample of the document recording the warm water temperatures.

Summary Comment

The requirement has 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

- (1) The registered provider ensured that there were staff available at all times with appropriate first aid responder training. The records indicated that 12 held current up to date training.

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) The fire drills conducted in the service were recorded electronically. The last recorded fire drill took place on 08/04/2024 for the children attending.
 - (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 alarms was 12/12/2023 and the firefighting equipment was 26.04.2024.
- (4) A notice of the procedures to be followed in the event of fire was displayed in the service

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 category of insurance cover for the service, that is full day care.
- the number of children covered by the insurance was for 170 children.
- The expiry date of the current insurance cover was 27/03/'25.

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,*
- (c) kept adequately lit, heated and ventilated*
- (d) cleaned, maintained and repaired, as required*

Compliance Information

- (a) Visually the premises appeared to be of sound and stable structure.
- (c) The rooms in the service were adequately ventilated via natural ventilation through the openable windows and by mechanical ventilation. The service had installed air conditioning units in the care rooms and the sleep rooms since the last inspection.
- (d) Extensive work had been carried out in the designated outdoor play areas since the last inspection. Artificial grass surfaces and new fixed play units were installed.