

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015KY103
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Name of Service:	Oakview Village Childcare
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Address of Service:	Orchard Way, Oakview Village, Tralee, Co. Kerry
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Eircode:	V92 X516
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Name of Registered Provider:	Clodagh Moynihan
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Service type:	Full Day
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Date(s) of Inspection:	21/06/2023
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No of pre-school children:	AM	102	PM	70
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Address of the Early Years Inspectorate:	Áras an Phobail, Deans Lane, Tralee, Co. Kerry.
Inspection undertaken by:	N. Reidy
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	Not Applicable
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Description of service

Oakview Village Childcare Centre is a privately owned childcare facility. The service is registered to accommodate children aged 0-6 years providing sessional, part-time and full day care. The service operates Monday to Friday inclusive between the hours of 7.30am and 6.30 pm.

The service operates from a purpose-built premise located in Tralee town. There are 6 care rooms in operation, namely the Nursery, Junior playschool on the ground floor and Pre-school 1, Pre-school 2, Pre-school 3 and the Naíonra on the 1st floor.

Staffing

There are a total of 26 adults employed to work directly with the children. The designated person in charge and the deputy both work daily in the service on administration duties as well as in the childcare rooms providing assistance as is required. The registered provider does not work with the children 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/ 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, person in charge, deputy 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.*

(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) There is a designated person in charge and a named deputy both who work daily on the premises.

(b) At all times during the period when the service is being carried on, the designated person in charge or the named deputy is on the premises.

(2)

The deputy in charge confirmed that 2 adults had begun working at the service since the previous inspection undertaken on 07/09/2022, therefore recruitment records in relation to these 2 adults were reviewed.

(a) 3 written validated references were on file from a source other than a past employer.

(b) 1 written validated reference was on file from a source other than a past employer.

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

(d) Not applicable, the adults did not reside outside the jurisdiction n for a period of longer than 6 consecutive months.

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

(4) The 2 adults working directly with the children had attained Quality Qualifications Ireland (QQI) in childcare training at Level 5 and above.

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 day of the inspection as listed hereunder: -

Nursery

There were 3 staff caring for 14 children aged between 1 and 2 years attending on a full day care basis.

Junior playschool

There were 3 staff caring for 15 children aged between 2 and 3 years, 12 children attending on a full day care basis and 3 children attending on a sessional basis.

Pre-school Room 1

There were 2 staff caring for 20 children aged between 4 and 5 years, 9 children attending on a sessional basis and 11 children attending on a full day care basis.

Pre-school 2

There were 2 staff caring for 20 children aged between 3 years and 4 years, 16 children attending on a full day care basis, 1 child attending on a part-time basis and 3 children attending on a sessional basis.

Pre-school 3

There were 3 staff caring for 15 children aged between 2 years 11 months and 4 years, 11 children attending on a full day care basis and 4 children attending on a sessional basis.

Naíonra

There were 2 staff caring for 18 children aged between 4 and 5 years, 12 children attending on a full day care basis and 6 children attending on a sessional basis.

The adult child ratio was correct

(8)(a) The registered provider did ensure that 2 adults are on the premises 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) The 21 records inspected 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;

(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) The following records were available and maintained:

(h) details of attendance by a child on a daily basis.

(i) details of staff rosters on a daily basis.

(j) details of any medication administered to a child attending the service with signed parental consent;

(k) details of any accident, injury and incident involving a child attending 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

BASIC NEEDS

- The daily meals and snack are supplied by the service, the parents of children attending some playrooms provide the food served for snack times.
- The main meals are supplied by a catering company, the meals are portioned and reheated in the main kitchen by a designated staff member who delivers them to each of the care rooms.
- Milk and water are the 2 main drinks supplied to the children attending. The food observed on inspection included for example sandwiches, bagels, bananas, sliced apples, strawberries, and the main meal consisted of meatballs served with mashed potatoes.
- The inspector observed alternative meals were supplied to children in accordance with their individual preference.
- The service had a stock of food items in each of the kitchenettes adjacent to the Nursery and Junior playschool and in the main kitchen that included a variety of fruit, crackers, bread, cheese, ham, and cereals.
- The mealtimes observed were relaxed and sociable. Ample time was offered to the children to eat their food.
- The adults sat with the children, assisted, and encouraged the children to feed themselves as was appropriate to their age and stage of development and the younger children were assisted with spoon feeding.
- Feeding chairs were available and used by the younger children and the older children sat on the low-level chairs at the low-level tables for mealtimes.
- Adult seating was provided in the care rooms to facilitate nurturing children.
- A supply of clean bibs was available and used by the younger children and there was suitable age-appropriate cutlery and crockery used.

- Drinking water was freely available to the children and children were observed to help themselves when they were thirsty. The inspector observed children were reminded and encouraged by the staff to take drinks at various times during the day.
- The staff catered for the children's individual needs for example in the warmer weather in the Nursery, the staff informed the inspector that indoor and outdoor water based play activities are available, drinks are encouraged and given to the children and appropriate outdoor protective clothing, sunscreen and sun hats are provided.
- Nappy changing was carried out in a timely manner as required in the designated nappy changing areas provided.
- The children had unlimited access to the toilets and the staff were on hand to provide assistance as required.
- A designated area for children aged under 12 months was provided in the Nursery. The area had a variety of soft matting, seating and cushioning of various shapes and sizes.
- The children enjoyed free movement within the playrooms to access toys and play materials stored on open low-level shelving and on the floor.
- The children attending had access to designated secured outdoor play areas, 1 of which was covered. The play areas comprised a variety of surfaces underfoot including soft matting, grass, concrete foot paths and artificial grass with a range of fixed and moveable play materials and toys.

Part V - Care of Child in Pre-school Service

Regulation 22 – Food and drink

A registered provider shall ensure that adequate and suitable, nutritious and varied food and drink is available for each pre-school child attending the pre-school service.

Compliance Information

- The service provided the main hot meal on the day of the inspection. The service uses an outside catering company to supply the food served for the main meal and the service provide all snacks for the children attending with parents also providing some for children in some playrooms.
- The inspector was informed that the service is in consultation regularly with the catering company about children’s individual dietary requirements and to discuss alternative menu options.
- The children in each of the playrooms had unlimited access to water throughout the day. Water stations were in place where the children could easily access their individual water bottles and beakers. Milk and water are the 2 drinks supplied to the children.

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

- Designated rest areas were provided in each of the playrooms consisting of soft seating and matting where children could take a break from play time, rest and relax as they so wished.
- There were 2 designated sleep rooms adjacent to the Nursery, sleep room 1 and sleep room 2 had 7 cots in each room.
- A designated sleep room was located adjacent to the Junior playroom with 10 low level beds and 1 cot.
- A supply of appropriate linen was available for the cots and for the beds.
- On the day of the inspection children were observed using the sleep facilities as children as they required a rest or sleep.
- All sleep and rest facilities were appropriate for meeting the needs for children attending in a full day care service on the day of the inspection

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 doors were appropriately secured to prevent children from exiting the building unsupervised and to restrict unauthorised persons from gaining access to the premise.
- The cleaning agents observed were stored within the secured cupboards and on high level shelving.
- Within the outdoor play area, the doors of the allocated boiler, toy and gas stores were secured.

Infection Control:

- The tables were sanitised before mealtimes.
- There was a supply of warm water, liquid soap and paper hand towels provided at the wash hand basins to facilitate effective hand washing by the children and the staff.
- Handwashing was observed to take place prior to mealtimes, after using the toilet and after nappy changing.
- A supply of gloves and single use plastic aprons were available to wear by the adults for nappy changing procedures.
- The rooms were well ventilated by means of natural and mechanical ventilation.
- The fridges provided were used to store perishable food items.
- The nappy changing areas and surrounds were clean and dry, the mats provided were clean, dry and intact. Pedal operated lidded lined bins were used for disposal of nappies, the inspector observed that the bins were emptied regularly.

Safe Sleep:

- The service had taken measures to maintain the temperature of the sleep rooms between 16 degrees Celsius and 20 degrees Celsius via openable windows, air conditioning units, air purifier and air conditioning units.
- Staff members informed the inspector regarding the physical checks for sleeping children and demonstrated the electronic records recorded of the 10-minute interval checks of the children's breathing, colour and position.

- The Nursery staff informed the inspector that a staff member stays with the children until they fall asleep as is required. 1 adult remains in the sleep room serving the junior playroom at all times.

Non-Compliance Information

General Safety:

- There were 5 air conditioning units in the service that were accessible to the children, 1 in the Nursery, Junior Playschool, Naionra, Pre-school 1 and in Sleep room 1. The units had cables attached and outlet pipes exiting to outside the building via open windows, posing a risk to the children of catching their fingers within the grids located on the front of the units, a risk of strangulation from the cables and a risk of falling from the windows should they gain unsupervised access to the open unsecured windows.
- Electrical items were present in the service which posed a risk to children of strangulation and injury: -
 - In Sleep rooms 1 & 2 an unsecured radio and sleep monitor were stored on shelves located over the cots.
 - A fan with a cable attached was accessible to the children in Pre-school 1.
 - There were 2 cooling units with cables attached accessible to the children within sleep room 2.

Outdoor area

- There were small sharp pieces of rusted debris on the ground near the fixed play activity unit serving the children from the Junior playschool room posing a risk of injury to children.

It was acknowledged that the registered provider stated on the day of the inspection that these issues would be rectified without delay.

Action submitted by the Registered Provider

The operations manager stated: -

Corrective & Preventive Action

General Safety:

- All units have been secured using fire guard gates, they have been secured to avoid being pulled down on a child. All the cables have been secured to the walls and all the exit pipes have been secured to the window with MDF boards for security. Following the inspection, the service confirmed receipt of funding to install permanent air conditioning units to enable easier facilitation of temperature control within the care rooms and within the sleep rooms. The units will be ceiling mounted and pose no risk to children.

2. The sleep monitors were moved to ground level, the cables were secured with cable clips and the shelves were removed so as no items will pose a risk in the future. The cables for the 2 cooling units were secured and the fan was removed from pre-school 1. The staff were reminded to secure all training flexes to avoid dangers.
3. The pieces originated from a damaged metal shed that was removed on the day prior to the inspection from the garden. Following the inspection, the garden was thoroughly checked for additional rusted debris and the pieces removed immediately. The staff have been reminded to ensure that adequate garden checks occur prior to using the outdoor space.

Supporting documentation submitted

General Safety:

1., 2., & 3. Photographs for each of the corrective actions for the non-compliances as above, a maintenance checklist and an email that was issued to staff members to check the garden area prior to use were submitted.

Summary Comment

The requirement for this regulation has been met.

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,*
- (d) cleaned, maintained and repaired, as required, and*

Compliance Information

- (a) The premises appeared to be of sound and stable structure.

Non-Compliance Information

(d)1. The areas of grass and partial matting surface beneath the fixed timber play unit with the slides and swings was worn and the earth was exposed under the units. The registered provider and person in charge informed the inspector that plans are in place to renovate the said area and the larger outdoor area with the large, fixed timber play unit that will include the provision of an artificial grass surface.

Corrective & Preventive Action submitted by the Registered Provider

The operations manager stated that: -

Corrective and Preventive Action

1. The service acknowledges that extensive work is required to improve the outdoor space and are in the process of replacing the matting surface with astroturf and replacing the existing swing/slide unit with a brand-new unit, which the work will commence over the next 6-week period. The staff were advised to report issues with the garden equipment and a biannual review of the garden units had been included in the maintenance checklist.

Supporting documentation submitted

1. The statement, emails and a letter from the person undertaking the works in the main garden and the outdoor area serving the junior playroom are accepted as evidence. The operations manager stated that photographs of the proposed works will be forwarded to the early years inspectorate on completion.

Summary Comment

The requirement for this regulation has been met.