

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015KY108
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<b>Name of Service:</b>	Scallywags Pre-school
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<b>Address of Service:</b>	Coolies, Muckross, Killarney, Co. Kerry
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<b>Eircode:</b>	V93 NP02
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<b>Name of Registered Provider:</b>	Patricia Quigley
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<b>Service type:</b>	Sessional
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<b>Date of Inspection:</b>	17/01/2024
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<b>No of pre-school children:</b>	AM	14	PM	N/A
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<b>Address of the Early Years Inspectorate:</b>	13 Market Square, Mallow, Cork. P51 5DDY
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<b>Inspection undertaken by:</b>	E. Friel
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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

Sallywags Pre-school is a private sessional service which has been in operation since 2003. It facilitates the Early Childhood Care and Education (ECCE) Scheme between the hours of 9.15 am and 12.15 pm, Monday to Friday, 38 weeks of the year. While registered to accommodate children aged from 2 years to 6 years of age children currently attending are aged from 2 years 8 months to 6 years of age.

The service is located in the rural area of Coolies in Muckross, outside the urban town of Killarney, County Kerry. It operates from a single storey building adjacent to the registered provider's main residence. Sallywags Pre-school consists of a rectangular care room incorporating a children's sanitary area, the adult sanitary facilities are located in the registered provider's main residence. There is direct access to the dedicated, secure, outdoor play area from the care room and parking is located at the front of the service.

### Staffing

There were two adults, including the registered provider, working directly with the children on the day of inspection.

### 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 registered provider, deputy, 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) In conversation with the registered provider, at the introductory meeting, it was found that the service had not informed the Agency of a Change in Circumstances regarding timing of the morning session from the current registered time of 9.15 am until 12.15 pm to 9.00 am to 12 noon. Not ensuring this change had been updated on the national register does not allow for accurate service operations details to be retained and published by Tusla on the National Register.

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

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

(1) The Change in Circumstances form was submitted to the registration department.

#### **Supporting documentation submitted**

(1) Confirmation of the Change in Circumstances was received in the office of the inspectorate on 23 January 2024.

### Summary Comment

The non-compliance identified under Regulation 8 has been addressed.

### 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 was the designated person in charge and a named person was available to deputise in the service.
  - (b) The registered provider and the named person were on the premises when the inspector arrived and remained on site for the duration of the inspection. Details of the staff roster, available on a software application, indicated that both the registered provider and the named person were available on the premises while the early years children were present.

- (2) Recruitment files for both adults were reviewed;
- (a) (b) There were two validated references from previous employers and two validated references from sources other than previous employers.
- (c) Garda vetting disclosures from the National Vetting Bureau were on file for both adults.
- (4) Certificates were available to evidence that both adults, working directly with the children, held a major award in Early Childhood Care and Education, at Level 5 or above, on the National Framework of Qualifications.

## Non-Compliance Information

- (2)
- (d) An international vetting disclosure was missing for one adult who had lived outside of Ireland for a period of six months or longer as an adult.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

The following statement was received from the registered provider:

- (2)
- (d) An international police vetting application has been submitted.

### Supporting documentation submitted

- (2)
- (d) A copy of proof of application for international vetting was received in the office of the inspectorate on 8 February 2024.

## Summary Comment

The non-compliance identified under Regulation 9 (2) (d) has been addressed.

### 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.*

#### Compliance Information

(1) At all times there were an adequate number of adults working directly with the children.

(3) The minimum adult/child ratio was met. There were fourteen children in attendance with two adults.

### 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.*

(3) A record in writing referred to in paragraph (1) or (2) shall be open to inspection on the premises by-  
(c) an authorised person.

## Compliance Information

- (1) All fifteen records of the children attending the pre-school service were reviewed. One record was found to contain the relevant particulars of (a) to (i) above.
- (3) The records were open to review on the premises by the inspector on the day of inspection.

## Non-Compliance Information

- (1)
- (f) Records were missing for two children in respect of details of any illness, disability, allergy or medical need.
- (h) Immunisations records for fourteen children were missing.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

The following statements were received from the registered provider:

- (1)
- (f) The missing details in respect of illness, disability, allergy or medical need are now on file for the two children
- (h) The missing immunisation records are now on file for each child.

### Supporting documentation submitted

- (f) Copies of the missing details for two children were submitted to the office of the inspectorate.
- (h) Copies of the missing immunisations forms were received in the office of the inspectorate.

## Summary Comment

The non-compliances identified under Regulation 15 (1) (f) and (h) have been addressed.

### 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:*

- (a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor;*
- (b) details of the class of service and the age profile of children for which the service is registered to provide services;*
- (c) details of the adult: child ratios in the service;*
- (d) the type of care or programme provided in the service;*
- (e) the facilities available;*
- (f) the opening hours and fees;*
- (g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;*
- (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.*

*(3) A record referred to in paragraph (1) shall be open to inspection on the premises, and the documents and records referred to in paragraph (2)(a) shall be open to inspection whether on the premises or elsewhere, by an authorised person.*

#### Compliance Information

- (1)
- (a) The name, position, qualifications and experience of the registered provider and the named person were available from the staff recruitment files.
  - (b) Details of the class of service and the age profile of children for which the service is registered to provide was available in the service’s Purpose and Ethos Statement, available to parents/guardians on the service’s tablet.
  - (c)-(e) Adult/child ratios, type of care programme and facilities were available on the Purpose and Ethos Statement available to the parent/guardians on the service’s tablet.

- (f) Opening hours and fees were available on the notice board at the entrance to the service.
- (g) The policies, procedures and statements required under Regulation 10 were available in the service's policies and procedures available to parents/guardians on the service's tablet.
- (h)(i) Details of attendance by each pre-school child and the staff roster were available on a software management package on the service's tablet and were furnished to the inspector.
- (j) While staff stated that no medication had been administered an administration of medication form was pre-signed for a child with a chronic illness for whom it may be required in the event of an emergency.
- (k) Records were available of two accident/incidents recorded for 2023 and one accident/incident for 2024, these were furnished to the inspector. All details were completed.
- (3) The above records in relation to the pre-school service were open to inspection 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

#### BASIC NEEDS:

- The service promoted healthy eating. Snacks, provided by the parents/guardians were served by staff at 11.25 am and were noted to consist of filled sandwiches, berry fruits, vegetables, cheese and rice cakes.
- Children were observed accessing the toilet area independently, an adult was available nearby to provide assistance, if required.
- The weather on the day of inspection was very cold, children were observed playing with their hats, scarfs, gloves and waterproof leggings.
- A rest/quiet area with soft furnishings including a sofa and soft cushions was available for the children to be able to relax with nearby books available to read. Children were observed in this area listening to a story read by one of the adults during the morning.

- The adults working with the children were observed to be responsive and caring in their communications with the children. An example included one child who was concerned about another child spoke to one of the adults who in turn listened and responded to the child's request for help.

### **SUPPORTING CHILDREN'S RELATIONSHIPS:**

- Staff interactions during snack time and table top activities were noted to be positive and helpful. Children making bird feeders who required help with scissors were supported and assisted to carry out the task while others were heard being given praise and encouragement for their efforts.
- Children were encouraged to manage their self-help skills including putting on items of clothing for outdoor play and washing their hands. Staff were available to assist, if required.
- Teamwork was evident in the service with staff regularly exchanging information and ideas relevant to the children in their care throughout the morning.
- Communication with parents was stated as taking place at drop off and collection times and on the software application daily, with observations available detailing each child's activities on a daily and weekly basis.
- Staff stated informal meetings take place with topics including curriculum planning and general information being exchanged on a daily basis. Planning meetings were stated as taking place at the beginning of each term.

### **PHYSICAL AND MATERIAL ENVIRONMENT:**

- The toys and resources in the room were easily accessible from low-level shelving which offered choice and independence to each child in the service.
- The room was laid out in clearly defined areas which enhanced the learning opportunities of the children across all developmental areas. Examples included a home corner comprising of a wooden cooker and sink, with appropriate resources including toaster, cups and a kettle promoting imaginary/role play. A sand area was available indoors along with a digging area outdoors which provided opportunities for sensory exploration. Various puzzles and construction materials including plastic bricks, promoting cognitive development, were stored on accessible shelving in the care room. A large variety of arts and crafts materials including paint, individual glue sticks, crayons, pencils and card which encouraged creativity were observed in use during the morning.
- Age and stage appropriate tables and chairs were provided for the children to sit at in the service.

- Children’s sense of identity and belonging was enhanced with photographs of each child on the birthday train on the wall indicating which month their birthday was on, along with a height tree with each child’s height on a leaf on the tree with their name on it.
- The outdoor play areas offered alternative environments for the children to play in. A range of developmentally appropriate equipment was available in the fully enclosed areas. Opportunities were provided for adventurous and risky play with trees and hedging providing a natural walk way through the side of the play area where children could hide and still be seen by adults, a wooden bridge and tree swings in use by the children on the day. Additional equipment and areas offered opportunities for imaginary/role play in the home corner in the windmill shed. Science and nature opportunities were available with the naturally forming ice in the empty plants pots and there was a fully enclosed poly tunnel where the children could plant bulbs and explore in their natural environment. A covered area was available to enable the children to play outdoors in all weathers and children were observed sitting on a swinging wooden bench in this area swinging throughout the outdoor play session.

### Non-Compliance Information

#### **BASIC NEEDS:**

- (1) Water was unavailable to the children throughout the morning. Two water carriers on the window sill were noted to be empty and while the children had one cup of water at snack time, no water further water was provided throughout the morning. The Registered Provider is responsible for ensuring drinking water is accessible at all times.

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

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

- (1) Water is available and accessible to the children at all times.

#### **Supporting documentation submitted**

- (1) A picture of the water jug with water and cups nearby was received in the office of the inspectorate.

### Summary Comment

The non-compliance identified under Regulation 19 has been addressed.

### 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:

- All doors were secured. The main door was secured on arrival preventing unauthorised adults from entering or unsupervised children from leaving.
- Bird photographs on the fire exit door provided a visibility barrier for children to ensure that they did not bang into the glass panels.
- Window openings were not accessible by the children and were located at adult height.
- All shelving and furniture were suitably secured to ensure they could not tip over.
- Flexes and cables were stored and secured out of reach of the children.
- Cleaning agents were stored out of reach of the children.
- Cupboards under the sink were secured with child proof locks to ensure the children could not access the contents within.
- The kettle was stored on an adult work bench which was inaccessible to the children.
- The outdoor play areas were secured with wooden/metal fencing and two bolted gates, ensuring unauthorised adults could not enter the area and children could not leave the area unsupervised.

##### Infection Control:

- Handwashing was observed before food, after toileting and coming in from outdoor play.
- Wash hand basins in use by staff and children were fitted with thermostatically controlled hot water ranging from 34.3°C to 36.2°C, dispensing soap and paper towels in dispensers.
- Hooks were available in the care room for children to store their coats, and lunch boxes were stored on a shelf off the floor area.
- Staff were observed sweeping the floor and disinfecting the tables after snack, maintaining a safe, healthy and inviting environment.
- Disposable gloves and aprons were available should staff require them to prevent cross contamination. No children were observed in nappies on the day of inspection.

##### Administration of Medication:

- Anti-febrile medication was available in its original container and stored out of reach of the children.

### Safe Sleep:

- A quiet rest area was available. No children were observed sleeping on the day of inspection.

### Fire Safety:

- The emergency fire door, which provided direct access to the outdoor play area, was unobstructed.
- Fire doors were fitted with thumb twist cylinders aiding the quick evacuation of adults and children in the event of an emergency.
- The fire assembly sign was visible attached to fencing on the wooden bridge in the outdoor play area.

## Non-Compliance Information

### General Safety:

- (1) There were two loose, sharp, hinges on the pink dolls house, posing a safety risk should the children harm themselves on the sharp edges of the loose hinges.
- (2) The inspector observed that there were two wheelbarrows available in the outdoor play area, both had rusted handles and legs. The paint was peeling off, posing a safety risk from the sharp pieces of paint should they lodge in a child's hand or finger.
- (3) One car and two ride-ons in the outdoor play area had exposed plastic cracks and areas of plastic were missing, posing a safety risk should a child trap their fingers or hand in the missing holes with the sharp edges.

### Infection Control:

- (4) The inspector observed that there was no fridge available for storing perishable food, in conversation the staff member stated that the fridge was broken posing a risk of food spoiling from being left at room temperature in the care room.
- (5) Swing bins were in operation in the children's sanitary area and at the adult sink in the main care room, posing a risk of cross infection from the number of adults and children observed coming into contact with the lids of the bins on the day of inspection.

## Action submitted by the Registered Provider

### **Corrective & Preventive Action:**

The following statements were made by the registered provider:

#### **General Safety:**

- (1) The hinges have been replaced on the doll's house.
- (2) The wheelbarrows have been scraped, sanded and re-sprayed.
- (3) The car and the ride-ons have been removed from the area.

#### **Infection Control:**

- (4) A new fridge has been ordered.
- (5) All swing bins have been replaced.

### **Supporting documentation submitted**

#### **General Safety:**

- (1) A photograph of the replaced hinges on the doll's house was received in the office of the inspectorate.
- (2) Photographic evidence was received in the office of the inspectorate of the repaired wheelbarrows.
- (3) Photographic evidence was received in the office of the inspectorate of the removed car and ride-ons.

#### **Infection Control:**

- (4) Copies of the details of the new fridge were received in the office of the inspectorate.
- (5) Photographic evidence was received in the office of the inspectorate of the new pedal operated bins.

### **Summary Comment**

The inspector reviewed the corrective actions and evidence provided after the inspection. The registered provider demonstrated that the non-compliances identified under Regulation 23 have been resolved.

### 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) Certificates were available to evidence that both staff members had First Aid Responder (FAR) training completed and the expiry date of both certificates were recorded as 18 September 2024.

(2)

(a)(b) The first aid box was easily accessible to both adults on a shelf in the care room and was available 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 firefighting 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) A written record was available of the fire drills that took place in the service. The last fire drill was recorded as taking place on 12 January 2024.

(b) Written records were available detailing the number, type and maintenance of firefighting equipment and

testing of smoke alarms in the service. These were both dated 1 October 2023.

- (2)
- (c) The records were open to review by the inspector on the day.
- (4) A notice of the procedures to be followed in the event of a fire were located on the wall at the fire exit door.

### Part VI - Safety

#### Regulation 28 - Insurance

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

#### Compliance Information

A certificate was available to evidence that the registered provider had insurance for the service. The service was insured for twenty-two sessional children and the expiry date was noted as 27 March 2024. Details included public liability and fire and theft.

### 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,*
- (b) safe and secure,*
- (c) kept adequately lit, heated and ventilated*
- (d) cleaned, maintained and repaired, as required, and*
- (e) equipped with adequate and suitable sanitary facilities.*

#### Compliance Information

- (a) The service appeared of sound and stable structure.

#### Non-Compliance Information

- (c)

- (1) The temperature in both children's toilet cubicles were recorded as 9.9°C, there were no heating systems in place in either area. In order to facilitate the care needs of the children the temperature of the rooms should be between 18°C and 22°C
- (2) The temperature of the care room was recorded as 14.2°C, ambient room temperature for the children to work and play should be between 18°C and 22°C.
- (d)
- (1) The cork tiles in the paint area were encrusted with paint and had holes making them difficult to clean.

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

#### Corrective and Preventive Action

- (c)
- (1) A new heater has been installed in the bathroom area.
- (2) The temperature on the thermostat has been increased and the room is now monitored to ensure the temperature is between 18°C and 22°C as required.
- (d)
- (1) The damaged cork tiles will be replaced.

#### Supporting documentation submitted

- (c)
- (1) A photograph of the newly installed heater was received in the office of the inspectorate.
- (2) A photograph of the room temperature recorded on a thermometer at 20.6°C was received in the office of the Inspectorate.
- (d)
- (1) The statement from the registered provider has been accepted.

### Summary Comment

The inspector reviewed the corrective actions and evidence provided after the inspection. The registered provider demonstrated that the non-compliances identified under Regulation 29 (c) and (d) have been resolved.