

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015KY115				
<b>Name of Service:</b>	St. Brigid's Pre-school Crèche				
<b>Address of Service:</b>	Hawley Park, Tralee, Co. Kerry				
<b>Eircode:</b>	V92 WY6Y				
<b>Name of Registered Provider:</b>	Angela Walsh				
<b>Service type:</b>	Full Day, Part Time, Sessional				
<b>Date(s) of Inspection:</b>	23/10/2023				
<b>No of pre-school children:</b>	<table border="1"> <tr> <td>AM</td> <td>70</td> <td>PM</td> <td>64</td> </tr> </table>	AM	70	PM	64
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<b>Address of the Early Years Inspectorate:</b>	Áras an Phobail, Deans Lane, Tralee, Co. Kerry				
<b>Inspection undertaken by:</b>	N. Reidy, D. Prendergast				
<b>Title:</b>	Early Years Inspectors				

### 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

This community based early years service is registered to provide sessional, part-time and full day care to children aged between 0 and 6 years, the service is currently catering for children aged between the age of 1 year and 6 years. The service is open Monday to Friday inclusive between the hours of 8:30 am and 6pm.

There are 4 playrooms in operation, 3 on the ground floor and 1 on the 1st floor. Since the last inspection the outdoor play area located at the front of the building has undergone extensive refurbishment including new fencing, low level brick walls enclosures for the sections of soft matting and artificial grass and a variety of seating..

### Staffing

There are currently 17 adults attached to the early years service, 16 of whom are involved in the direct care of the children. This includes two adults employed under the Access and Inclusion Model (AIM) Support Scheme and two Community Employment (CE) participants. The registered provider is not service based and does not work directly with the children who attend the setting. In addition, a student was undertaking work placement at the time 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 announced 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 inspectors wish to acknowledge the cooperation of the person in charge, staff and children who were present on the day of the inspection.

## Part III – Management and Staff

### Regulation 9 – Management and recruitment

- (1) A registered provider shall ensure that-*
- (a) the service has a designated person in charge and a named person who is able to deputise as required,*
  - (b) at all times during the period when the pre-school service is being carried on, the designated person in charge or the named person referred to in subparagraph (a) is on the premises, 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 at the service. The person in charge remained available to assist with the inspection process.
- (2) The recruitment records in relation to all 17 of the adults attached to the service were requested for review, along with those of a student, who was undertaking a work placement. The following information was noted:
- (a) Eighteen references were from previous employers, with suitable records of validation in place for 12 of the 18 references. A separate record of validation from a past employer was also available.
  - (b) Eleven of the references were from sources other than previous employers, with evidence of validation on file for seven of these references.
  - (c) Records demonstrated that each of the 18 adults had been Garda vetted.
  - (d) Police vetting was available in respect of eight of the adults, who had lived outside the State. Suitable translations into English were also provided, as required.
- (4) Twelve of the staff members 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. Qualifications were not required in respect of the registered provider, the student or the two adults who were employed as CE participants.

### Non-Compliance Information

- (2)
- (a)(b)
- There were no written and validated references available for three of the adults.
- Records of validation were unavailable for 10 references, which related to 5 of the adults who worked at the service.
- While a record of reference validation was in place for one staff member, a corresponding written reference was unavailable.
- (d)
- The requirement or otherwise for police vetting or additional police vetting could not be determined in the case of seven adults, whose CVs were incomplete and for an additional six adults, for whom CVs were unavailable.
- (4)
- Evidence of attainment of a recognised award in Early Childhood Care and Education, as listed on the National Framework of Qualifications, was unavailable for two of the adults, who worked directly with children.

The childcare coordinator stated that: -

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

- 2
- (a)& (b) The missing written and validated references were obtained.
- (d) All CVs have been obtained.
- (4) The missing qualifications certifications were obtained.
- A check list for all paperwork requirements for all staff will be put in place and the files will be checked regularly.

#### **Supporting documentation submitted**

- (a) & (b) The 3 written validated references for three of the adults were received. Records of validation for 10 references were received and a corresponding written reference for a validation in respect of one adult was received.
- (d) The CVs were received for thirteen adults. Police Vetting required in respect of two adults as was determined from the CVs was submitted.
- (4) The certifications of qualifications in respect of two adults were received.

### Summary Comment

The requirement for the above regulation 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) Baby/Wobbler Room

There were 2 staff caring for 7 children aged between 23 months and 2 years who were attending on a part-time basis and full day care basis.

##### Crèche Room

There were 2 staff caring for 8 children aged between 2 years and 3 years, 1 child was attending on a sessional basis and 7 children were attending on a part-time and full day care basis.

##### Preschool Room 1

There were 4 staff caring for 21 children aged between 3 years and 5 years, 6 children attending on a sessional basis and 15 children attending on a part-time basis and full day care basis.

##### Pre-school room 2

There were 4 staff caring for 20 children aged between 3 years and 4 years, who were attending on a part-time basis.

The adult child ratio was correct.

(2) The minimum number of adults was maintained.

(8)

(a) The registered provider did ensure that a minimum of 2 adults are on the premises at all times during the hours of operation as evidenced in the staff roster.

## 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;

(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;

### Compliance Information

- (1)
- (h) In Pre-school 2, the children’s daily attendance records were available for review. A sample of four weeks was assessed and met the requirements.
- (i) Details of staff rosters on a daily basis was maintained including staff cover for break times.
- (j) The inspector was advised that three of the children who attended Preschool 2 may require medication while in attendance and provision were in place to record the administering of said medication, as needed. Written parental consent for staff to administer the medication had also been obtained.

### Non-Compliance Information

- (1)
- (a) Curricula vitae were unavailable in respect of 6 of the adults attached to the service and there was no photo identification in place for 12 of the adults.

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

The childcare coordinator stated that: -

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

The CVs were supplied and the photo identification obtained. A check list for all paperwork requirements for all staff will be in place and the files will be checked regularly.

#### **Supporting documentation submitted**

The 6 CVs and 12 photo identifications were received.

## 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

(1)(a)

### Basic needs:

- The service provided the main hot meal prepared and cooked each day on the premises by the chef. The main meals are offered to all children attending on a part-time full day care basis and to all children attending on a full day care basis.
- In Pre-school 2, the mid-morning meal break was noted to be a relaxed and social occasion. The adults sat with and chatted to the children and plenty of time was afforded for the children to enjoy their snacks.
- The location of the sanitary facilities allowed the children to access the toilets independently and this practice was encouraged by the staff members. Nappy changing was observed for the children who required same.
- Nappy changing was carried out promptly and in a sensitive manner with the adults observed communicating with the children.
- The children's reusable water bottles were stored in a basket on a low-level shelf in the playrooms and the children were observed to help themselves to their drinks, as needed.
- A cosy corner was provided in the baby room, the creche and in Pre-school 2 to meet the children's need for rest and relaxation.
- The children enjoyed free movement within the playrooms where they could easily access the toys on low level open shelving and on the floor.
- The adults caring for the children were observed to be kind and caring and attentive to the children's needs.

- The children attending the baby room and creche played outdoors in the area located in front of the creche room and children from pre-school 1 used the area directly accessible from that room.
- The children were observed to be appropriately dressed with their coats and hats for playing outside.

### Non-Compliance Information

#### Basic needs

##### Pre-school 1

2. The rest area consisted of 1 large mat on the floor, 4 cushions and 1 pillow, it was inadequate for the number of children the room accommodated.

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

The childcare co-ordinator stated that: -

#### Corrective and Preventive Action

The leader in the room will ensure that enough blankets and cushions are available for the size of the group. The pre-school team will each day set up the area and ensure there are adequate supplies of the group of children.

#### Supporting documentation submitted

A photograph of the expanded rest area with cushions, soft matting on the floor and blankets was received.

### Summary Comment

The requirement has been met.

## 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 temperature of the warm water at the sinks did not exceed the recommended 43 degrees Celsius with the exception of the sanitary accommodation serving pre-school 2.
- The entrance doors to the playrooms were secure to prevent children gaining unsupervised access out and to prevent unauthorised persons entering the room.

### Infection Control:

- There was an instantaneous supply of warm water, liquid hand soap and disposable paper hand towels provided at the wash hand basins to facilitate effective handwashing by the children and by the adults in the baby room, the creche and pre-school room 1 and in the sanitary accommodation and nappy changing facilities, in the baby room and creche.
- Children's toiletries were individually labelled and stored out of the reach of the children.
- Children were observed washing their hands after using the toilet, after playing in the outdoor area and prior to mealtimes.
- The children's soothers were observed to be hygienically stored and individually labelled.
- The soft cushions, cushion and pillow covers, the seating and matting in the rest areas in the baby, creche and pre-school 1 were observed to be clean and dry.
- The pedal operated lidded bins used in the playrooms and the designated bins used for the disposal of nappies were sealed, lined, clean and dry.

### Administration of Medication:

- The administration of medication was not observed at the time of inspection.
- The medication held for three of the children was safety stored out of children's reach and had been labelled with the name of each child.

### Safe Sleep:

#### Sleep room serving the baby room.

- The children that used the sleep facilities on inspection room were physically checked every 5 minutes and a record of the child's colour, position and breathing was recorded.
- The air temperature of the said sleep room was recorded at 16.2 degrees Celsius.
- There were no trailing cables accessible to the children, it was secure and out of the children's reach.

### Non-Compliance Information

#### General Safety:

##### Pre-school 2:

1. The two step-ups at the wash hand basins in the children's sanitary facility were unsteady and upon examination, were deemed insufficiently robust to hold the weight of a child. One of the steps was observed to be cracked and broken. This posed a risk of injury to a child. It was acknowledged that a staff member removed the step ups, following discussion with the inspector.

2. The children's access to potentially harmful items was not prevented, which increased the risk of injury to a child. Some of the storage cupboards located around the care room were within reach of the children and had not been secured. Within the cupboards, items such as plastic bin bags, a sunscreen spray bottle, and several cables were therefore accessible to children. The issue of unsecured cupboards was also found at the previous inspection on 8 and 9 February 2023.
3. Additional potentially harmful items were accessible to children on the lower shelf of the nappy changing unit. Items such as nappy sacks, plastic aprons and wipes posed a risk of suffocation to a child. This issue was also found at the previous inspection on 8 and 9 February 2023.
4. Visibility strips were not in place on the low-level glass panels in the creche and in pre-school room 1 posing the risk of a child sustaining a collision injury.
5. The cables attached to the air conditioning unit situated on the floor of the sleep room serving the creche were not secured, accessible to the children posing a risk of strangulation.
6. There was a chalk board in each of the outdoor play area serving the creche and in the area serving pre-school room 1 that was chipping with loose splinters posing a risk of injury to children.

### **Infection Control:**

#### Pre-school 2:

7. A child's hands were not washed after having their nappy changed and three additional children did not wash their hands after using the sanitary facilities. This increased the risk of cross infection.
8. Liquid soap was unavailable at the wash hand basins in the nappy changing facility, which increased the risk of cross infection. When brought to the attention of a staff member, the inspector was advised that neither of the two wash hand basins in this area were used and that instead, handwashing was facilitated at the wash hand basin in the main care room. However, this practice further increased the risk of cross infection, as children and staff had to open the door of the nappy changing area, before washing their hands in the main care room.
9. Warm running water was unavailable at both wash hand basins in the Pre-school 2 children's sanitary facility. Cold water temperatures may impede effective hand washing and lead to the spread of infection.
10. The timber casing surrounding the pipes under the large sink was damaged, which impeded effective cleaning. This was also found at the previous inspection on 8 and 9 February 2023.
11. The pedal on the white bin in the main care room was broken, therefore, staff and children were required to touch the lid of the bin to open same. This increased the risk of cross infection.

### Administration of Medication:

- The medication held for one of the children in Pre-school 2 and for one child in the creche was out of date. This posed a risk that said medication may be ineffective in treating the child's medical needs, should it be required.

### Action submitted by the Registered Provider

The childcare co-ordinator stated that: -

#### General Safety:

- There were 2 new child step ups purchased. All childcare staff are to check the equipment on a daily basis to ensure suitability.
- The room is currently shared with the school aged children. All the cupboards have keys to lock them. There are plans in place to re-locate to a new room, it will eliminate the changeover of the usable space. The pre-school and afterschool leaders will ensure that the cupboards are locked each day.
- There are sealable boxes used to store the harmful items to ensure they are out of the children's reach. An adult height shelf was installed.
- The visibility strips will be attached to all glass doors and panels and all staff were informed to alert the person in charge when there is wear and tear on them.
- The air conditioning unit was removed until maintenance will be undertaken to secure the lead securely. The childcare staff are to check the sleep room for any cables or risks to children before putting them to sleep.
- The chalk boards were removed. New chalk boards will be purchased and remounted. The childcare staff to follow the daily risk assessment sheet to ensure the safety of all children.

#### Infection Control:

- There are adequate sinks for a large group, so this should have been preventable. A meeting was held with the pre-school leader, the importance of proper hygiene after nappy changing and toileting by the children was stressed. The staff are accountable for safety and hygiene.
- The soap dispensers have been moved back to the sinks in the bathroom. The sink in the playroom is now only used for hand washing by the children after indoor and outdoor play and before mealtimes only.
- The plumber had changed the water temperature at both wash hand basins. All staff are to monitor the temperature of the warm water to ensure it is available at all times.
- A wooden box was installed around the pipes. A risk assessment of the wooden areas to be undertaken once a month.
- The bin has been removed and replaced with a new bin.

**Administration of Medication:**

12. The medication has been removed and replaced by the parents. The childcare staff are to check the expiry dates on all medicine weekly and inform the parent when new medication is required. This is included on the risk assessment sheet.

**Supporting documentation submitted**

**General Safety:**

1. A photograph of the step-ups was received.
2. The statement is accepted as evidence.
3. A photograph of the new high level installed in the sanitary accommodation was submitted.
4. Photographs of the visibility strips in place on the low-level glass panels in the creche and pre-school room 1 were received.
5. A photograph of the sleep room with the air conditioning unit removed was received.
6. Photographs of the 2 chalk boards removed were received.

**Infection Control:**

7. The statement is accepted as evidence.
8. A photograph of the newly installed soap dispensers.
9. The statement is accepted as evidence. The plumber was requested to provide a written account of the work carried out; the service is waiting on this.
10. A photograph of the new wooden box enclosing the pipes was received.
11. A photograph of the pedal operated lidded bin was received.

**Administration of Medication:**

12. A copy of the risk assessment sheet documenting the weekly checks on the children's medications.

**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.*

*(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) A number of the staff members who worked directly with the children had completed First Aid Responder training (FAR) with the certifications on file.

(2) (a) The first aid boxes were wall mounted /stored on high level shelving in each of the playrooms.

(b)The first aid boxes were accessible to the adults and were out of the reach of the children.

### Non-Compliance Information

(2)(a) The first aid boxes were not adequately stocked. The following items were not in stock in addition to the contents provided :-

#### Baby room

- 20 adhesive plasters
- 1 sterile eye pad
- 2 individually wrapped triangular bandages.
- 1 individually wrapped sterile unmedicated wound dressing (medium).
- 2 individually wrapped sterile unmedicated wound dressings (extra-large)
- 2 individually wrapped sterile unmedicated wound dressings (large)-
- Pocket face mask
- Water burns dressings (1 small and 1 large)

#### Creche

- 11 adhesive plasters.
- 2 individually wrapped sterile unmedicated wound dressings (medium)
- 1 individually wrapped sterile unmedicated wound dressing (large)
- 9 individually wrapped disinfectant wipes.
- Water burns dressings (1 small and 1 large)

### Pre-school 1

- 2 sterile eye pads
- 2 individually wrapped sterile unmedicated wound dressings (medium).
- 3 individually wrapped sterile unmedicated wound dressings (extra-large)
- 6 individually wrapped sterile unmedicated wound dressings (large)-
- 1 large water-based burns dressing
- 1 crepe bandage

### Pre-school 2

- 5 individually wrapped sterile unmedicated wound dressings (large)-
- 6 individually wrapped sterile unmedicated wound dressings (extra-large)
- Water burns dressings (1 small and 1 large)
- 2 crepe bandages.

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

The childcare coordinator stated that: -

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

The first aid boxes have been re-stocked. A staff member has been assigned to inventory all the first aid boxes each month and order the supplies as are required.

#### **Supporting documentation submitted**

The statement is accepted as evidence.

### Summary Comment

The requirement has been met.

## Part VII - Premises and Space Requirements

### Regulation 29 - Premises

*A registered provider shall ensure that the premises of the service are-*  
*(b) safe and secure,*

#### Compliance Information

- (b)
- The entrance doors to the playrooms were secure to prevent children gaining unsupervised access out.
  - The outdoor areas inspected were observed to be secured.

#### Non-Compliance Information

(d) The door of the staff toilet located in the entrance /reception area was not closing adequately.

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

The childcare coordinator stated that: -

#### Corrective and Preventive Action

The door has been fixed and locks securely. All staff members have been alerted to report any maintenance issues which will be logged in a maintenance book for the maintenance staff to complete and sign off on.

#### Supporting documentation submitted

The statement is accepted as evidence.

#### Summary Comment

The requirement has been met.