

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015KY124				
Name of Service:	Tir na Nog Community Childcare				
Address of Service:	Ballybunion Community Centre, Lartigue Road, Ballybunion, Co. Kerry				
Eircode:	V31 TV25				
Name of Registered Provider:	Claire Nash				
Service type:	Full Day, Part Time, Sessional				
Date(s) of Inspection:	08/07/2024				
No of pre-school children:	<table border="1"> <tr> <td>AM</td> <td>30</td> <td>PM</td> <td>15</td> </tr> </table>	AM	30	PM	15
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Address of the Early Years Inspectorate:	Áras ana 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	N/A
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Description of service

This community based early years service situated within the community centre is registered to provide sessional, part-time and full day care to children aged between 0 and 6 years. The service is open Monday to Friday between the hours of 7:30 am and 5:30pm.

There are 4 care rooms in operation on the ground floor of the building. The children attending have access to a designated enclosed outdoor play area located on the premise.

Staffing

There are currently 24 adults attached to the early years service, 20 of whom are involved in the direct care of the children. The registered provider is not service based and does not work directly with the children who attend the setting. The designated person in charge, the administrative and kitchen staff are not employed to work directly with the children.

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. 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 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.
- (2) The recruitment records in relation to 2 adults who were employed since the last inspection on 02/08/2023 were the subject of the inspection and Garda vetting disclosures in respect of 13 adults who required renewal of the Garda vetting since the last inspection.
- (a) Three references from previous employers with records of validation were on file.
 - (b) One reference from another source other than a previous employer with a record of validation on file.
 - (c) Garda vetting disclosures had been obtained for each of the twenty-four adults. However, the service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. Please refer to the information outlined under regulation 23 of this report.
 - (d) Not applicable as the two adults in question did not live outside the jurisdiction.
- (4) Twenty 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 on file.

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)
There were 4 care rooms in operation on the day of the inspection namely the creche, pre-school 1 upstairs and pre-school 2 downstairs.

Baby room

There was 1 staff member caring for 3 children aged between 1 and 2 years attending on a full day care basis. re cared for by 5 adults.

Toddler room

There were 7 staff caring for 17 children (including 2 school aged children), aged between 1 and 7 years, 3 children attending on a sessional basis and 12 children attending on a part-time full day care basis.

Junior pre-school

There was 1 adult caring for 5 children aged between 3 and 4 years attending on a part-time and full day care basis.

Senior pre-school

There were 2 staff caring for 5 children aged between 4 and 5 years, the children present were attending on a part-time and full day care basis.

The adult child ratio was correct.

(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

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

- Sleep and rest were observed to be facilitated during the day for the children attending the baby and toddler rooms.
- Rest areas were provided in each of the care rooms consisting of soft matting, soft seating and cushions.
- The children enjoyed freedom of movement within each of the care rooms.
- All children attending availed of time in the designated outdoor play area and the younger children attending the baby room were taken for a walk seated in a push chair.
- The staff were observed to be kind, caring and attentive towards the needs of the children in their care.
- The children's nappies were changed regularly, staff were observed to be attentive to the children, talking to them and putting them at ease during the procedure.
- The children attending the service have the option of availing of the main hot meal of the day that is cooked on the premise by a designated staff member who prepares, cooks and serves the meal.
- Water was offered with the food and was freely available to children in the care rooms. The staff assisted the younger children in the toddler room who needed assistance with accessing their individually labelled drinks beakers/bottles.
- Protective waterproof aprons were supplied for the children during water play activities.

Physical and Material environment

- Each of the 4 care rooms had a variety of play equipment and materials that were age appropriate for the children.
- The children were engaged in a variety of appropriate activities during the inspection that included playing together in the outdoor play area, tabletop activities and water play.

- There was a variety of play materials available in each of the care rooms. The rooms were observed to be well resourced with age-appropriate toys and play materials on easily accessible low level open shelving and on the floor in the care rooms.

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 entrance doors to the care rooms were secured to prevent children leaving unsupervised and to prevent unauthorised persons into the rooms.
- The cleaning products observed on inspection were stored out of the children's reach.

Infection Control:

- The children were observed washing their hands after using the toilets and after playing outdoors with assistance and supervision provided by the staff as was needed.
- The fridges on site were used to store the children's perishable food items to prevent food spoilage.

Safe Sleep:

- The children who required to rest and sleep on the day of inspection were accommodated in the standard cots in the sleep rooms and on a floor bed in the Toddler room.
- The staff members in the Baby room and Tin the Toddler room informed the inspector regarding the plans for the sleep needs of individual children in the service.
- The children who slept were physically checked every 10 mins and a record of the child's colour, position and breathing was recorded.

Non-Compliance Information

General Safety:

1. Garda vetting disclosures were available for twenty-four adults. However, six Garda vetting disclosures were not dated within the previous three years in adherence with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.
2. A room used on the first floor named as the "break out" room was used during the day by some of the children in the care rooms with the exception of the baby room. The room was not secured to prevent children leaving unsupervised where they could access a number of unsecured rooms and toilets, a lift and the stairway. The room was not secured to prevent unauthorised persons in.
3. The temperature of the warm water exceeded 43 degrees Celsius posing a risk of scalding. The temperatures recorded ranged between 46.2 degrees Celsius and 46.6 degrees Celsius in respect of the wash hand basins in the sanitary accommodation serving the toddler room, and the sanitary accommodation and the wash hand basins in the senior pre-school room.

- There were splinters on the wooden toy kitchen in the outdoor play area posing a risk of injury to children.

Infection Control:

- The required 50 cm distance between the cots in the sleep rooms was not maintained posing a risk of the spread of infection.
- The mattress covers on 1 cot in each of the sleep rooms were unclean posing a risk of cross contamination and the spread of infection.
- The sweeping brush, sweeping pan and brush were stored in the toilet cubicle in the Senior pre-school room posing a risk of cross contamination and the spread of infection.
- There was no running warm water at the sink in the nappy changing room serving the baby and toddler rooms posing a risk of cross contamination. Hand washing by the adults and for the children after nappy changing was observed to be carried out in the children's toilets in the toddler room.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

- The Garda vetting disclosures were submitted. A word document has been created demonstrating the expiry date for each adult's Garda vetting.
- Alarms have been fitted on each door. The alarms are designed to emit a loud and continuous noise whenever the doors are opened. The primary purpose of the alarms is to prevent children from leaving the room unsupervised. The loud noise serves as deterrent and the heavy doors add an additional layer of security to ensure children cannot exit easily. The alarms are triggered if an authorized person attempts to enter the room, thereby enhancing the overall security of the children. A routine schedule for testing and maintaining the door alarms including checking the battery life, verifying the sound of the alarms and ensuring the doors close securely. Regular drills or refresher training for staff on the use of these alarms should be conducted to reinforce correct usage and response protocols. This will prevent system failures and ensure continuous protection against unauthorized exits or entries.
- The temperature of the warm water is controlled and will be monitored. A document is in place to record the temperature of the warm water each day.
- The splinters on the wooden mud kitchen were sanded down and varnished.

Infection Control:

5. There was 1 cot removed. The partition between the sleep rooms will be removed. A carpenter has been booked to complete the work and pictures of the completed work will be forwarded to the inspectorate.
6. Mattress protectors for each child were purchased.
7. They were moved out to the hallway.
8. There are now 2 sinks provided in the nappy changing room, the renovation works have been completed. The staff will follow the nappy changing procedure.

Supporting documentation submitted

General Safety:

1. The Garda vetting disclosures for each of the 6 adults in question. The word document demonstrating the expiry date for the adult's Garda vetting.
2. The statements and photographs of 2 alarms fitted on the doors were received.
3. A copy of the record to monitor the temperature of the warm water was received.
4. A photograph of the wooden kitchen sanded and varnished.

Infection Control:

5. The statement is accepted as evidence.
6. The statement is accepted as evidence.
7. The statement is accepted as evidence.
8. The statement and photographs are accepted as evidence.

Summary Comment

The requirement has been met. The above will be the subject of inspection at the next inspection.

Part VI - Safety

Regulation 25 - First aid

(1) A registered provider shall ensure that a person trained in first aid for children is, at all times, immediately available to the children attending the pre-school service.

(2) A registered provider shall ensure that a suitably equipped first aid box for children-

(a) is safely stored in an easily accessible and conspicuous position on the premises, and

(b) is available to the children attending the pre-school service at all times.

Compliance Information

(1) The registered provider ensured that there were staff available at all times with appropriate first aid responder (FAR) training. The FAR certifications indicated that 17 staff members held current up to date training.

(2) (a) There was a suitable equipped first aid box available to the children attending. The boxes were stored out of the reach of the children.

(b) The first aid equipment was available to the children at all times

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-

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

Compliance Information

(e) There was a second nappy changing unit provided in the nappy changing room serving the Baby and Toddler room.

Non-Compliance Information

- (d) There was black staining observed on the walls and water pipes in the sanitary accommodation serving the Junior pre-school room.
- (e) The nappy changing unit in use on the day of the inspection did not have steps for the older children to safely access the unit. The steps had been removed at the beginning of the inspection for the carpenter to carry out work on them.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (d) This was cleaned and painted by a professional.
- (e) A new child stair is provided.

Supporting documentation submitted

- (d) Photographs of the work completed was received.
- (e) A photograph of the child steps for the nappy changing unit was received.

Summary Comment

The requirement has been met.