

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015KY124
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Name of Service:	Tir na Nog Community Childcare
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Address of Service:	Ballybunion Community Centre, Lartigue Road, Ballybunion, Co. Kerry
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Eircode:	V31 TV25
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Name of Registered Provider:	Claire Nash
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Service type:	Full Day, Part Time, Sessional
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Date(s) of Inspection:	02/08/2023
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No of pre-school children:	AM	49	PM	22
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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

Tir na Nog Community Childcare is a community based early years service that is registered to provide sessional, part-time and full day care to children aged between 0 and 6 years. The service operates between the hours of 7:30 am and 5.30 pm Monday to Friday inclusive. The service consists of 4 playrooms located on the ground floor of the community centre. There is a designated enclosed outdoor play area located to the rear of the building that is available each day to the children attending

Staffing

There are 25 adults employed in the service of whom 21 are qualified to work directly with the children. The registered provider does not work 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 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.

Additional Information

The service had made changes to the sleep room since the last inspection on 21.07.2020. The changes consisted of a partitioning wall, not directly up to the ceiling, put in place, creating 2 sleep rooms consisting of a sleep room with 3 cots and a sleep room with 2 cots. A door was put in place between the kitchenette in the baby room and the sleep room with 2 cots.

A referral was made to the Fire Safety department in respect of the changes made as outlined above.

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

(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

(2) The person in charge confirmed that 25 adults were employed in the service, therefore recruitment records in relation to these 25 adults were reviewed. The person in charge informed the inspector Garda Vetting for all adults will be renewed in the immediate future.

- (a) 39 written validated references were on file from a past employer.
- (b) 11 written validated references were on file from a source other than a past employer.
- (c) A Garda Vetting Disclosure was on file for each of the 25 adults.
- (d) Police Vetting was on file for 5 adults who had resided outside the jurisdiction for a period of longer than 6 consecutive months.

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

Non-Compliance Information

- (2)
- (d)
1. Police Vetting was not on file for 2 adults who had resided outside the jurisdiction for a period of longer than 6 consecutive months.
 2. Police Vetting on file for 1 adult was not translated by a reputable translation service.
- (3) The procedures as outlined in paragraph 2 in respect of Police Vetting was not carried out prior to the said adults having access to the children.

Corrective & Preventive Action submitted by the Registered Provider

The designated person in charge stated that: -

Corrective and Preventive Action

(d)

1. Police Vetting has been applied for in respect of the 2 adults. The police vetting in respect of 1 adult was submitted to the office of the early years inspectorate. The processed police vetting in respect of the second adult will be submitted to the inspectorate when it is obtained.
2. The translated Police Vetting in respect of 1 adult was obtained and a copy of this was received in the office of the early year's inspectorate.

(3) A human resources pack to meet the criteria as per the procedures outlined in paragraph 2 is now in place. All files will be fully complete prior to a staff member commences work.

Summary Comment

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

(2) The 4 playrooms were in operation on the day of the inspection.

Baby room

There were 2 staff members caring for 6 children aged between 8 months and 2 years, 3 children attending on a part-time basis and 3 children attending on a full day care basis.

Toddler room

There were 6 staff 1 of whom was working on a community employment scheme caring for 21 children aged between 1 and 3 years, 4 children attending on a sessional basis, 11 children attending on a part-time basis and 6 children were attending on a full day care basis.

Junior pre-school room

There were 2 staff caring for 9 children aged between 3 years and 5 years, 6 children attending on a part-time basis and 3 children attending on a full day care basis.

Senior pre-school room

There were 2 staff caring for 13 children aged between 3 years and 5 years, 5 children attending on a part-time basis and 6 children attending on a full day care 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 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,

Compliance Information

This regulation was assessed for children in attendance in the Baby, Toddler and Junior pre-school rooms.

BASIC NEEDS

- The service provides the main hot meal cooked in the kitchen each day by a designated person.
- A weekly menu was available and provided to the parents.
- The main meals are cooked and plated in the kitchen and distributed to each of the care rooms where the staff serve it to the children.
- The food for the snack times is supplied by the parents of the children attending.
- On speaking to the staff, they informed the inspector they work in partnership with the parents in relation to the children's individual sleep patterns and needs.
- Children enjoyed free movement in the playrooms inspected.
- Children had unrestricted access to the toilets that were located adjacent to the playrooms. The inspector observed the staff were available to assist the children if needed.
- Nappy changing was carried out in a timely manner as needed during the day.
- The staff caring for the children on the day of the inspection were observed to be kind, caring and patient.
- They comforted and nurtured children throughout the session and the inspector observed staff sitting with the children on their laps comforting them.
- The children were observed to be engaged happily in the various activities in the rooms, playing individually, in pairs and in large and small groups.

Non-Compliance Information

BASIC NEEDS

1. Drinking water was not accessible at all times during the session, the inspector observed the children's individually labelled beakers were stored in the kitchenette in the Toddler room out of children's reach.

Corrective & Preventive Action submitted by the Registered Provider

The designated person in charge stated that: -

Corrective and Preventive Action

1. There are water stations in each room where all children have access to their individual water bottles.

Supporting documentation submitted

1. The statement is accepted as evidence.

Summary Comment

The requirement for this regulation has been met.

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

There were 2 sleep rooms provided with 3 cots in 1 room and 2 cots in the 2nd room both located adjacent to the Toddler and Baby rooms.

Low level beds with appropriate linen were available for the older children who required to rest or sleep. On the day of the inspection children were observed using the sleep room facilities in the sleep rooms as children required a rest or sleep.

Designated rest areas were provided in each of the playrooms that consisted of a variety of soft matting and cushioning and seating.

The sleep facilities were appropriate for meeting the needs for children that were in attendance on a full day care basis 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 childcare rooms were secured to prevent children from exiting unsupervised and to restrict unauthorised access.
- Any cables observed were secured appropriately.
- The cleaning agents observed were stored out of the reach of the children.
- The kitchenettes located in the Baby and Toddler rooms were rendered inaccessible to the children with secure child gates in place.

Infection Control:

- The soothers observed were stored in clean lidded containers in the children's individually labelled cubbies.
- The nappy changing mat and surrounding area was clean and dry and cleaned down after each use with disinfectant wipes as staff informed the inspector and as observed.
- Fridges were provided and used to store perishable food items, milk and water in the care rooms.
- Potties observed were clean and dry.
- The children's individual barrier creams and cleaning wipes were labelled.

Safe Sleep:

- On speaking to the adults, they were cognisant of the 10-minute physical sleep checks conducted for children sleeping and documenting the findings of the colour, position and breathing pattern of the children sleeping.
- The inspector observed children slept in the standard cots provided in the sleep rooms on inspection.

Non-Compliance Information

General Safety:

1. The fire exit door in the Toddler room (located at the side of the building, opening out onto a footpath and roadway) was open, a small timber gate was kept in place with a bucket of sand in the doorway posing a risk of unauthorised persons entering the room and a risk of obstructing the fire exit in the event of a fire.

Infection Control:

2. There was no warm water provided at the sinks in the kitchen, in the nappy changing room serving the Baby and Toddler rooms and in the Senior pre-school rooms which would impede effective hand washing and increase the risk of the spread of infection.
3. Children's sleep suits were stored in the nappy changing room on an open shelving unit posing a risk of cross contamination.
4. The required 50 cm distance between the cots in the sleep rooms was not maintained posing a risk of the spread of infection.
5. The upholstered covering of the adult chair in the baby room was not clean posing a risk of the spread of infection.

Safe Sleep:

6. On speaking to staff, the inspector was informed that children have slept in buggies on occasions when all the cots were occupied. Buggies are prohibited for sleeping infants and children.

Action submitted by the Registered Provider

The designated person in charge stated that: -

Corrective & Preventive Action

General Safety:

1. This door will not be left open going forward. The doors and windows are due to be replaced, the new windows will have top openings.

Infection Control:

2. The water system has now been fixed, a technician had been contacted prior to the inspection and were awaiting a call out.
3. The sleep suits are now stored in covered containers.
4. The service are hoping to build a new sleep area. 1 cot will be removed from the sleep room to facilitate the 50 cm distance between the cots.
5. The chair has been cleaned, the cushions removed and washed. The cleaning of the chair has been added to the daily cleaning duties/roster.

Safe Sleep:

7. The seriousness of this has been addressed with all staff members and this will not happen again going forward.

Supporting documentation submitted

General Safety:

1. The statement is accepted as evidence.

Infection Control:

2. A picture of the water temperatures was received.
3. A picture of the sleep suits stored in covered containers was received.
4. The statement is accepted as evidence.
5. The statement is accepted as evidence.

Safe Sleep:

6. The statement is accepted as evidence.

Summary Comment

The requirement for this regulation 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.

Compliance Information

- (1) There were 15 adults who had completed First Aid Responder training and the certifications were furnished to the inspector.

Part VI - Safety

Regulation 26 - Fire safety measures

- (1) A registered provider shall ensure that a record in writing is kept of-*
- (a) any fire drill that takes place in the premises, and*
 - (b) the number, type and maintenance record of fire fighting equipment and smoke alarms in the premises.*
- (4) A notice of the procedures to be followed in the event of fire shall be displayed in a conspicuous position in the premises.*

Compliance Information

- (1) The service had maintained in writing a record of the following: -
- (a) Each fire drill had taken place in the service. The last recorded fire drill took place on 12/06/2023.
 - (b) A record of the number, type and maintenance checks of the firefighting equipment and the smoke alarm. The records on file demonstrated the last check for the smoke alarm was 09/01/2023 and the firefighting equipment was March 2023.
- (4) A notice of the procedures to be followed in the event of fire was displayed in the service.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

A copy of the insurance certification for the service was on file. The information provided on the insurance certificate included:

- the contact details for the insurance provider
- the name and address of the service insured.
- the category of insurance cover for the service
- the number of children covered by the insurance was for 120 children.

The expiry date of the current insurance cover was 27/03/'24.

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*
- (e) equipped with adequate and suitable sanitary facilities.*

Compliance Information

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

Non-Compliance Information

(d)

Senior Pre-school room

1. There were no toilet seats in place on the 2 toilets in the sanitary accommodation.
2. Some of the ceiling tiles located above the fixed play unit were cracked.

(e)

4. There was 1 nappy changing station provided for 20 children requiring nappy changing on the day of the inspection. The requirement is 1 nappy changing station for every 11 children requiring nappy changing.

Corrective & Preventive Action submitted by the Registered Provider

The designated person in charge stated that: -

Corrective and Preventive Action

(d)

1. The toilet seats have been replaced.
2. Refer to the photograph of the repaired tiles.

(e)

3. The service ensures that the nappy changing area is kept to a high hygienic standard, with good communication between the staff. The service is working on provision of an additional nappy changing area.

Supporting documentation submitted

(d)

1. A photograph of the 2 toilet seats in place.
2. A photograph of the repaired ceiling tiles.

(e)

3. Several correspondences that included the proposed location of the designated nappy changing room.

Summary Comment

The requirement for points 1 & 2 has been met, point 3 remains outstanding. Following further discussions and correspondence from the person in charge, a plan for a nappy changing room has been devised with a proposal of completion for within 3 to 5 months.

The above will be the subject of inspection at the next inspection.