

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015LD027
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Name of Service:	Legan Community Childcare Ltd
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Address of Service:	Naoi Rath Ré, Smithfield Crescent, Legan, Co. Longford
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Eircode:	N39 K228
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Name of Registered Provider:	Caroline Gettings
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Service type:	Part Time
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Date(s) of Inspection:	08/12/2023
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No of pre-school children:	AM	6	PM	N/A
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Address of the Early Years Inspectorate:	Early Year's Inspectorate, TUSLA, Child and Family Agency, Government Buildings, Convent Road, Roscommon, Co. Roscommon.
Inspection undertaken by:	A. Kennedy
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

This Early Years' Service is a community-based service operating a part time service from 09.00 to 14.00hrs and 09:30-14:30hrs Monday to Friday. The age range of children enrolled in the service is from 12 months to 5 years of age. The Early Years' Service is located in a purpose-built premises and provides three pre-school rooms, office, a staff room, dining room and kitchen. Presently there are two preschool rooms in operation. An outdoor play area is adjacent to the premises and available for use by children. The service is located in a rural area in Legan, Co. Longford.

Staffing

There were four adults present on the day of inspection including the manager working directly with the children. Additionally, a cleaner is employed in the service and was in attendance for part of the inspection. The registered provider does not 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 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 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*
- (c) there is a clear management structure in the service that identifies the lines of authority and accountability in the service and the specific roles and responsibilities of each employee and unpaid worker.*

(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) There was a designated person in charge and there was a named person available to deputise in the service.

(b) The manager was the person in charge and on the premises when the early years inspector arrived and remained on site for the duration of the inspection.

Documentary evidence indicated that either the designated person in charge or deputy were available, on the premises, when the pre-school children were present.

All staff files were reviewed and deemed to be satisfactory.

(2)(a)&(b)

Ten of the ten references on file in respect of the staff were from a past employer or a source other than a past employer.

(c) Garda vetting disclosures were available in respect of the five adults.

(d) Documentary evidence indicated that one of the staff, had lived outside the jurisdiction, for longer than 6 consecutive months, while over the age of 18 years, and had the required police vetting.

(4) Four of the staff working directly with the children had evidence of Quality and Qualifications Ireland (QQI) Level 5 to Level 8, in Early Childhood Care and Education.

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)
Documentary evidence indicated that an adequate number of staff were working directly with the children. At all times during the period of the inspection, the manager ensured that an adequate number of staff were working directly with the children.

(2)
The manager ensured that the minimum ratio of adults to children specified was maintained.
On the morning of the inspection, there were 6 children present

- 1 child aged 2 years old,
- 5 children were aged between 3 to 4 years,

There were three staff directly caring for these children. Additionally, the manager assisted with the administration parts of the inspection and acted as childcare relief.

(8)(a)
The manager ensured that there were always two staff on the premises while the service was operating.

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

- The children were given sufficient time to eat in an unhurried manner and the children sat at age-appropriate low-level chairs and tables at their snack Highchairs were available for the younger children.
- All children had access to a water station, which allowed them the opportunity to take a drink if thirsty and the children were observed to 'self-serve' on a regular basis.
- The staff encouraged and supported the pre-school children to feed themselves independently, according to their age and stage of development.
- The younger child from the Toddler room wore nappies and had their nappies changed on a regular basis, in a timely manner, in the designated nappy changing areas off the toddler room. Older children were toilet trained and either used the toilet independently or with some assistance, as required. The staff advised that one child is presently been toilet trained.
- Children's behaviour was managed in a competent and positive manner by the staff. It was observed that minor problems were handled promptly and positively by the staff.
- The children could move about freely in the playroom, they were supported to interact appropriately with their peers and were confident / comfortable in their environment.
- On speaking with staff, the inspector was informed that they verbally provided parents with daily information on their child's experiences in the pre-school including the child's interests, preferences and play activities engaged in. This information was provided at collection times or by phone calls.
- Information about the service and general information was displayed on the notice board, inside the main door.
- Individual learning journals and memory boxes were collated by staff showing activities a child engaged in, their pictures, artwork, and photographs and these were given to parents and guardians during the year and at the end of the year.
- A key worker system was in place for each child to support their development and to inform curriculum planning. The role of the key worker was to liaise with parents / guardians.

- The staff were observed to be caring and supportive in their interactions with the children. The staff were interested in the children, spoke in low tones, listened to them, and responded to their requests.
- The child from the toddler room was in the preschool room for the session to enable him to interact with the older children.
- The children were observed doing tabletop activities to include building blocks, puzzles colouring and drawing. At circle time, the staff read stories and the children questioned the story characters and gave their views. The staff used visual aids and probed with questions such as ‘who is this?’, ‘how many are there?’, and ‘where is that?’

Non-Compliance Information

1. The privacy and dignity of a child having their nappy changed could not be maintained in the Toddler changing area, as there was a viewing panel between the nappy changing area and the activity room resulting in the possibility of a child, being easily viewed by another child and or a staff member.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. It is acknowledged subsequent to the inspection of the service on 15/12/2023, the manager submitted evidence that the viewing panel has had frosted contact fitted to provide privacy and dignity for a child having their nappy changed.

Supporting documentation submitted

1. On the 15th of December, the manager submitted photographic evidence of the contact fitted on the viewing panel between the nappy changing area and the activity room.

Summary Comment

The inspector has reviewed the action taken and evidence submitted. The non-compliance identified under Regulation 19 has been adequately addressed and will be reviewed on next 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:

- There was a buzzer access system into the front door entrance.
- The external play area was secure so that children could not leave the area unsupervised and unauthorised persons could not enter the area.
- All cleaning agents were stored inaccessible to the children.
- The temperature in each playroom was maintained between 18°C and 22°C.
- The windows had blinds cords that were secured and thereby inaccessible to a pre-school child.
- Daily records of attendance were kept for all of children attending the playrooms.
- Heavy equipment and furnishings were anchored appropriately.
- The highchair in the toddler room conformed to safety standards and had the 5-point safety harness system.
- All toys and play equipment were observed to be safe and in good condition.

Infection Control:

- Hand washing facilities were provided with a supply of warm water, liquid hand soap and disposable paper hand towels.
- Thermostatically controlled warm water was available for use by the children to facilitate hygienic hand washing.
- Children were observed washing their hands after toileting, after messy play and prior to consuming their snacks. The staff advised that the children also wash their hands upon arrival to the service.
- The children's barrier creams were clearly individually labelled / stored within the nappy changing area.
- The staff advised that presently no child uses a soother, and one child uses a bottle and this is prepared by the parent and stored in the refrigerator within the toddler room.
- Tabletops and work surfaces were cleaned with disposable paper towels and disinfectant spray.

- The playrooms were observed to be kept adequately ventilated with the windows left open whilst maintaining the room temperatures at the required levels.
- Adequate supplies of disposable tissues were readily available in the playrooms.

Administration of Medication:

- On the day of inspection, it was advised that no child is presently on medication. The adults were aware of the medicine administration policy within the service should medication need to be administered to a child within the service.
- Medication administration records including written parental consent were available.

Safe Sleep:

- There was a designated sleep room adjoining the toddler room with four cots for children under 2 years of age, sleep provision. There were stackable beds available for older children's sleep provision.
- There was a safe sleep policy that detailed temperature, lighting, ventilation, space between cots and child safety requirements as per the 'safe sleep for under 2's best practice guidelines for childcare services policy'.
- Records indicated that sleep records were kept for each child's sleep, recording the time a staff physically checks a child. Additionally, the records included a sleeping child's colour, position, breathing and the temperature of the sleep room, with the opportunity to document any necessary remedial actions taken.
- A wall thermometer was available in the sleep room which used as the method of recording the sleep room temperature and any necessary remedial action when temperatures were above 20°C and below 16°C.
- All linen provided was clean, dry, and stored in labelled containers.
- It was advised during the inspection that none of the children attending on the day of inspection required a sleep/rest.

Fire Safety:

- Monthly fire evacuations were carried out in the service to ensure the children were familiar with the fire drill procedure.

Non-Compliance Information

General Safety:

1. In the toilet cubicle in the sanitary area adjoining the toddler room, there appeared to be a leak behind the toilet which required further investigation to prevent a potential of slip hazard.
2. A safety hazard was observed in the outdoor play area. The absorbent surface had a gap approximately the length of the border of the hopscotch area which posed a potential trip hazard to young children.

Infection Control:

3. In the designated quiet area, in the preschool room there were three couches with evidence of being frayed and torn, thereby preventing effective cleaning.

Action submitted by the Registered Provider

Corrective & Preventive Action

On 19th of January 2024 the manager submitted a written response to state:

General Safety:

1. The plumber was contacted immediately. He was due to arrive after the Christmas break to replace the sealing around the joint and has been delayed.
The toilet is not in use at the moment as there is no children being toilet trained in that room. A small slow leak only occurs in toilet after sitting on the toilet and flushing. The toilet is not in use to avoid any further leaks until replacement.
2. At present the toddlers playground is not in use due to the icy weather as it has become very slippery and hazardous to the children. For now, coarse and will be placed within the cracks of the ground to fill in the crack and level the gap until further works take place. This will be correctly filled and sealed when the weather is suitable and warmer so that the ground can be correctly heat bonded. A risk assessment is carried out in the outdoor area and immediate action to be taken when required

Infection Control:

3. The couches were covered with strong waterproof fabric material patches. The staff will observe the couches daily and replace and add patches when needed. If couch becomes worn and beyond patches, it will be replaced.

Supporting documentation submitted

3. Photographic evidence was submitted to the office of the early years inspectorate of the repaired couches in the preschool room.

Summary Comment

The inspector has reviewed the actions taken and evidence submitted. The non-compliances identified under Regulation 23 have been adequately addressed and will be reviewed on next inspection.

Click [here](#) to add additional regulations

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) One staff working in the pre-school service had evidence of a current paediatric first aid qualification. The manager provided evidence of Far training due to be completed in January 2024 for a second staff member and committed to forwarding the certification to the office of the early year's inspectorate once complete.
- (2)(a) A suitably equipped first aid box was available in the playrooms and was stored in a conspicuous position.
- (b) The first aid boxes were readily available, with content items within date.

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.
- (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) Arrangements were in place to record monthly fire drills. The last documented fire drill was dated 29th of November 2023.
- (b) A record of the number, type, and maintenance of firefighting equipment in the service was on file.
- Records indicated that the last annual maintenance for the firefighting equipment was dated 15th of June 2023. Records indicated that the last maintenance for the fire detection system was dated 25th of August 2023.
- (4) A notice of the procedures to be followed in the event of a fire was displayed in each playroom.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

The service had insurance with an expiry date 27th of March 2024, which was for a full day care service for 40 pre-school children included the following: -

- public liability insurance,
- insurance against fire and theft,
- buildings insurance,
- insurance for outings undertaken as part of the service provision.