

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015LK006
--------------------------	-------------

<b>Name of Service:</b>	ACM Kidz
-------------------------	----------

<b>Address of Service:</b>	14/15 Castle Street, Castleconnell, Co. Limerick
----------------------------	--

<b>Eircode:</b>	V94 CW29
-----------------	----------

<b>Name of Registered Provider:</b>	Deirdre McMahon
-------------------------------------	-----------------

<b>Service type:</b>	Full Day, Part Time, Sessional
----------------------	--------------------------------

<b>Date of Inspection:</b>	28/11/2023
----------------------------	------------

<b>No of pre-school children:</b>	AM	24	PM	13
-----------------------------------	----	----	----	----

<b>Address of the Early Years Inspectorate:</b>	Tusla Early Years Inspectorate, 2 <sup>nd</sup> Floor Estuary House, Henry Street, Limerick.
<b>Inspection undertaken by:</b>	M Riordan
<b>Title:</b>	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).

<b>Conditions if applicable</b>	Not applicable
---------------------------------	----------------

### Description of service

ACM Kidz is a community childcare service located in the village of Castleconnell, in Co. Limerick. It offers a sessional, part time and full day care service. Each evening it offers a school aged childcare service to children attending the local primary schools. The service is located in a community centre in a single-story terraced house in the centre of the village. It is purposely designed as a childcare service. It has 2 well-resourced childcare rooms. The childcare rooms open directly onto well designed outdoor play area and garden located to the side and at the rear of the building

### Staffing

The registered provider is the manager of the service. There are 4 additional staff working at the facility. All staff have achieved a major award in Early Childhood Care and Education. An additional staff member is employed to prepare, cook and serve food to the children at the service.

### 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 II - Registration and Register

### Regulation 8 - Notification of change in circumstances

*(1) A registered provider of a pre-school service other than a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 60 days before it is proposed that the change would take effect.*

### Non-Compliance Information

(1) On inspection it was noted that the service is operating outside of their registration status. The hours of operation of the service for preschool children commenced at 8am and not 9am as detailed on the register.

On the day of the inspection there were 13 preschool children attending for full day care. The Register states that a maximum of 12 preschool children can attend for full day care service.

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

#### Corrective and Preventive Action

The opening hours of the service have been changed to 9am as stated on the national register. A maximum of 12 preschool children will attend for full day care service.

**Supporting documentation submitted**

All parents have been informed of the above adjustment to the service.

**Summary Comment**

The inspector has reviewed the actions as submitted. The noncompliance identified under Regulation 8 has been adequately addressed.

**Part III – Management and Staff**

**Regulation 9 – Management and recruitment**

*(1) A registered provider shall ensure that-*

- (a) the service has a designated person in charge and a named person who is able to deputise as required,*
- (b) at all times during the period when the pre-school service is being carried on, the designated person in charge or the named person referred to in subparagraph (a) is on the premises, and*
- (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) On the day of the inspection the registered provider who manages the service was off, and a deputy manager was present in her absence.
- (b) The deputy manager was present in the service for the duration of the inspection.
- (2)(a) There were 2 written references from past employers available in respect of the registered provider, the deputy manager and 3 other staff present on the day of the inspection.
- (b) Where past employer references were not available, references from an alternative source were provided.
- (c) Vetting disclosures from the National Vetting Bureau of the Garda Síochána were available in respect all 5 staff employed at the service.
- (d) Police vetting was available for 1 staff member who had resided outside of the state for a period longer than 6 consecutive months.
- (4) All staff hold an appropriate qualification in Early Childhood Care and Education.

### Non-Compliance Information

- (2)(a) There was 1 staff with no references available to view. Two validated references were required for all staff employed to work at the service.

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

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

All staff have now submitted 2 references. All references have been validated.

#### **Supporting documentation submitted**

Prior to commencement of employment all staff will submit 2 references and all references will be validated.

### Summary Comment

The inspector has reviewed the actions as submitted. The noncompliance identified under Regulation 9 has been adequately addressed.

### Part III – Management and Staff

#### Regulation 11 - Staffing levels

- (1) Subject to this Regulation, a registered provider shall ensure that there is at all times an adequate number of adults working directly with the children attending the pre-school service.*
- (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.*

#### Compliance Information

- (1) The registered provider ensures that at all times the correct number of staff are available to work at the service.
- (2) On the day of the inspection there were 24 preschool children present in the morning with 3 adults. The adult/child ratio was correct. In the afternoon when the sessional service was over, there were 13 Preschool children present with 3 adults. The adult/child ratio was correct.

### Part IV – Information and Records

#### Regulation 15 – Record of pre-school child

- (1) A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:*
- (a) the name and date of birth of the child;*
  - (b) the date on which the child first attended the service;*
  - (c) the date on which the child ceased to attend the service;*
  - (d) the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;*
  - (e) authorisation for the collection of the child;*
  - (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;*
  - (g) the name and telephone number of the child's registered medical practitioner;*

*(h) record of immunisations, if any, received by the child;*

*(i) written parental consent for appropriate medical treatment of the child in the event of an emergency.*

### Compliance Information

(1) The enrolment forms for 12 children registered to attend the service were reviewed. The service had a record in writing containing the following particulars for each of the children.

(a) The name and date of birth of the child.

(b) The date on which the child first attended the service.

(c) Provision to record the date on which the child ceased to attend the service was available on all forms.

(d) The name and address of a parent or guardian of the child and a telephone number where that parent or guardian of the child can be contacted during the hours of operation of the service.

(e) Authorisation for the collection of the child.

(f) Details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention.

(g) The name and telephone number of the child's registered medical practitioner.

(h) record of immunisations received by the child was available on 9 of the 12 forms reviewed.

(i) Written parental consent for appropriate medical treatment of the child in the event of an emergency.

### Non-Compliance Information

(h) The record of immunisation was not completed on the registration forms of 3 of the children's forms taken from the sample viewed on the day of the inspection.

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

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

The record of immunisation has now been completed on all registration forms.

#### **Supporting documentation submitted**

Details on all registration forms will be fully completed prior to each child commencing at the service.

### Summary Comment

The inspector has reviewed the actions as submitted. The noncompliance identified under Regulation 15 has been adequately addressed.

### Part IV – Information and Records

#### Regulation 16 – Record in relation to pre-school service

*(1) A registered provider shall ensure that a record in writing is kept of the following information in relation to the service:*

- (a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor;*
- (b) details of the class of service and the age profile of children for which the service is registered to provide services;*
- (c) details of the adult:child ratios in the service;*
- (d) the type of care or programme provided in the service;*
- (e) the facilities available;*
- (f) the opening hours and fees;*
- (g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;*
- (h) details of attendance by each pre-school child on a daily basis;*
- (i) details of staff rosters on a daily basis;*
- (j) details of any medication administered to a pre-school child attending the service with signed parental consent;*
- (k) details of any accident, injury or incident involving a pre-school child attending the service.*

*(2) A registered provider shall ensure that-*

- (a) all documents and records relating to references and Garda and police vetting obtained under Regulation 9(2) are retained for a period of 5 years from the date on which the person to whom the document or record relates commences working in the service, and*
- (b) a record referred to in subparagraph (h), (j) or (k) of paragraph (1) is retained for a period of 2 years from the date on which the child to whom it relates ceases to attend the service, or in the case of a preschool service in a drop-in centre or of a temporary pre-school service, for a period of 2 years from the date on which the child attends the service.*

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

### Compliance Information

(1) The registered provider ensured that a record in writing was kept of the following information in relation to the service:

- (a) The name, position, qualifications and experience of the person in charge and each staff working at the facility.
  - (c) Details of the adult: child ratios in the service.
  - (d) The type of care or programme provided in the service.
  - (e) The facilities available.
  - (f) The opening hours and fees.
  - (g) A record in writing was maintained of policies and procedures required in accordance with Regulation 10.
  - (h) Details of attendance by each pre-school child daily.
  - (j) The service had a medication administration record template available that could be used in the event of a child requiring medication to be administered at the service.
  - (k) Details of any accident, injury or incident involving a pre-school child attending the service.
- (2)(a) All records were retained as required.  
(b) All records were retained as required.

### Non-Compliance Information

- (1)(b) Details of the type of service in operation was not up to date and did not reflect the change in service type to full day care service.
- (3) As the registered provider was on leave the designated person in charge did not have access to the staff files which were required for the purpose of completing the inspection.

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

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

- 1)(b) The parent handbook has been amended with the new information on the service type offered, the staff details and programmes offered updated.
- (3) All files are stored in a location where the person in charge of the service has access to them if needed.

#### **Supporting documentation submitted**

Details of the changes were outlined in the corrective action plan.

### Summary Comment

The inspector has reviewed the actions as submitted. The noncompliance identified under Regulation 16 has been adequately addressed.

### 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

Healthy eating is promoted at the service. Children who arrived at the service early were offered a healthy breakfast of cereal, milk and toast. Parents provide children attending the morning sessional service with a healthy snack of fruit, cheese, crackers and sandwiches. All perishable foods are stored in a refrigerator until required each day. Childrens drinks are removed from their bags at the start of the session and left at a hydration station where they can access them throughout the day. Large soft couches with soft cushions and blankets were located in the library corner of both rooms. This space provides a rest area for children who need time away from more active play spaces.

Sanitary accommodation is located close to both Preschool rooms. Hot water, liquid soap and paper handtowels were accessible to ensure hygienic washing of hands. Nappy changing facilities were also available if required. A change of clothes was available for each child if needed. Outdoor raingear and wellingtons were also available to ensure that children get outside in all weather conditions.

#### Physical and Material Environment:

Both playrooms were large bright rooms which contained a range of well-developed interest areas for the children. All play equipment was easily accessible in clearly labelled boxes located on open, low-level shelving. Child sized table and chairs were available for tabletop activities and for dining at mealtimes. Equipment and furniture were rotated to ensure children had access to a variety of materials to suit the changing abilities and emergent interests of the children. Artwork, educational posters, and photographs of the children engaged in numerous activities were displayed on the walls in both rooms of the service. A family tree with children's family photos hanging on the branches was displayed on the walls of the rooms.

The outdoor areas of the service offered lots of safe space for the children to engage in physical play and imaginative play. A sheltered space outside was available if required. Areas of the garden were designed from natural materials with mud kitchens, digging and planting spaces and lots of raised beds accessible. An area for climbing encouraged the children to learn about safe risk, improve balance and improve co-ordination. A large synthetic grass area with goal posts provided space for ball sports. A tarmac area provided space for use of ride on bikes, trikes and bubble cars. Large sand boxes outside provided opportunity for sensorial play. Playhouses and outdoor garden benches ensured children could spend lots of time outside every day.

### Non-Compliance Information

#### Basic Needs

1. The outdoor area needed cleaning with much of the area covered in leaves. The climbing equipment was observed to be greasy and in need of deep cleaning. It is acknowledged that this work was completed immediately after the inspection and plans have been put in place to ensure regular cleaning of the area during the winter months.
2. On the day of the inspection the staff with responsibility for preparing and cooking a meal for the children attending on a full day care basis was on leave therefore a hot dinner was not offered. A hot snack of beans on toast was given at dinner time. A nutritious alternative must be provided to children in all circumstances including in the event of kitchen staff taking leave.

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

#### Corrective and Preventive Action

#### Basic Needs

1. On the days immediately prior to the inspection there had been a storm with strong winds and much of the debris in the playground was as a result of the storm. The area was immediately cleaned.
2. When the staff with responsibility for kitchen duties is on a leave a relief staff will take responsibility for preparing, cooking and serving food to the children.

#### Supporting documentation submitted

1. A plan is in place to ensure all outdoor areas are regularly cleaned and power hosed to ensure the area is at all times accessible to the children. A maintenance schedule is in place to ensure the area is checked each day to ensure all hazards are removed and the area is suitable for use.
2. There are 2 relief staff who have completed the HACCP training and are available if needed.

## Summary Comment

The inspector has reviewed the actions as submitted. The noncompliance identified under Regulation 19 has been adequately addressed.

## 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.

## Compliance Information

(1)(a) Fire drills took place on a monthly basis. The most recent fire drill took place on the 18<sup>th</sup> of November 2023.

(b) All fire extinguishers were serviced on an annual basis.

## Non-Compliance Information

(b) There were no records available to demonstrate the servicing of smoke alarms at the facility.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

Smoke alarms in the building are now checked on a monthly basis.

### Supporting documentation submitted

A record of all smoke alarm checks will be stored in the fire safety folder and will be available for inspection.

## Summary Comment

The inspector has reviewed the actions as submitted. The noncompliance identified under Regulation 26 has been adequately addressed.

## Part VI - Safety

### Regulation 28 - Insurance

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

#### Compliance Information

The registered provider had a current insurance certificate which outlined that adequate insurance was available for 22 preschool children to attend the service. The insurance cover commenced on the 28<sup>th</sup> of March 2023 and is due to expired on the 27<sup>th</sup> of March 2024.