

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015LK073
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<b>Name of Service:</b>	Freckles Childcare
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<b>Address of Service:</b>	Mill Road, Corbally, Limerick.
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<b>Eircode:</b>	V94R88H
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<b>Name of Registered Provider:</b>	Valerie Lysaght
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<b>Service type:</b>	Sessional
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<b>Dates of Inspection:</b>	06/11/2023
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<b>No of pre-school children:</b>	AM	21	PM	N/A
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<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>	J Ryan
<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
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### Description of service

This is an early years preschool which first opened in 1998. The service provides sessional education and care to preschool children aged 2 to 5 years of age. The service operates from 09.15hrs to 12.15hrs and the setting caters for a maximum of 22 children. It is located in a single storey house in a residential area. There are 2 care rooms in operation for children. The service has an outdoor play area located at the entrance to the premises where children have access to outdoor play equipment.

### Staffing

The registered provider is the designated person in charge and two additional staff members work in the service every day. All staff have childcare qualifications.

### 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.

The inspection focused on an examination of compliance under regulations 9,10,11,15,19,21,22,24,25,26 and 28.

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 registered provider, 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) There was a designated person in charge and a named person who was able to deputise as required.
- (b) The designated person in charge and the deputy person in charge were available on the premises on the day of inspection.
- (2) The files for three staff members were reviewed on the day of the inspection. The following documents were available
- (a) References from the person's past employers and in particular the most recent employer.
- (b) References from sources other than past employers were not required.
- (c) Vetting disclosures received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the three staff were available.
- (4) All three staff had level 6 childcare qualifications on the National Qualifications Framework.

### Non-Compliance Information

- (2)(a)
- One staff member did not have a reference from her most recent employer with whom she had worked with for the past fourteen years. The references for this member of staff working in the service on the day were dated 2009 and 2013.
  - Documentary evidence was not available to demonstrate that the two references required by two staff members had been validated by the registered provider prior to these staff commencing work in the service in September and October 2023.

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

#### Corrective and Preventive Action

- The reference for a staff member has been obtained from her most recent employer.
- Both staff members references have been validated.

#### Supporting documentation submitted

References were submitted.

### Summary Comment

The actions as stated by the registered provider meet the requirements of the regulation 9.

### Part III – Management and Staff

#### Regulation 10 - Policies, procedures etc. of pre-school service

*A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.*

#### Non Compliance Information

- The service stated in its outings policy that it was committed to undertaking supervised outings. However insufficient detail was contained on the outings policy as the following information was not documented.
  - Checklist for outings.
  - Written parental consent form.
  - Adult/child ratio.
  - First Aid box.
  - Adult trained in First Aid for children.
  - Method of counting children – Roll call.
  - Charged mobile phone.
  - Contact details for parents.
  - Details of management of a critical incident on an outing (missing child).
- The policy on healthy eating did not set out measures to ensure that suitable and nutritious food and drinks were available for each child depending on their age, development and specific dietary needs or religious requirements.  
Alternative ways in which to celebrate each child's birthday without the need to provide high sugar content food and drinks were not explored.

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

##### Corrective and Preventive Action

The outings policy and the healthy eating policy for the service have been reviewed and updated.

##### Supporting documentation submitted

Documentary evidence of the policies have been submitted.

#### Summary Comment

The actions as stated by the registered provider meet the requirements of the regulation 10.

### 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.*

#### Compliance Information

(1) At all times during the period of the inspection the registered provider ensured that an adequate number of staff were working directly with the children. On the day of the inspection there were 3 staff working with and supervising 21 children attending the session.

### 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

A sample of 10 records for a preschool child were reviewed on the day.

The following information was available on these records.

- (a) The name and date of birth of the child.
- (b) The date on which the child first attended 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.
- (i) Written parental consent for appropriate medical treatment of the child in the event of an emergency.

### Non-Compliance Information

1. The following information was not available on these records.

- (c) The date on which the child ceased to attend the service.
- (h) A record of any immunisations the child has had. The record details were incorrect as it indicated the records required were from a country other than Ireland.

2. An accurate record for each preschool child was not available for all children present on the day as there were only 19 records available when there were 21 children present. There were 22 children on the register therefore, a total of 3 children's records were not available.

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

#### Corrective and Preventive Action

Records for each preschool child have been updated to include (1) (c) and (h).

#### Supporting documentation submitted

Records are now available for each child on the register.

### Summary Comment

The actions as stated by the registered provider meet the requirements of the regulation 15.

### 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:**

Snacks provided by the parents of the children included fruit, sandwiches, yogurts and water to drink for their morning break. Children sat at low tables and had their lunch in an environment that promoted social interaction with peers and the adult and was unhurried.

There was a defined, comfortable and inviting rest area in both rooms where children could have some quiet time. The children were encouraged to wash their hands at appropriate times such as after toileting and before eating. Hand washing was facilitated in the sanitary accommodation with a supply of hot and cold running water and liquid antibacterial soap. Children were encouraged to use a tissue to clean their noses if required. Staff were observed to clean the tables before snacks were eaten. Children were observed to use the toilet facilities independently and nappy changing facilities were not required.

Children were allowed to move freely indoors from one activity to the next for specific periods of time. The children were supported and encouraged to behave appropriately for their age and stage of development through having simple rules to follow and a good level of choice of activities. Staff modelled positive behaviour for the children and the children were praised for their good behaviour.

##### **PHYSICAL AND MATERIAL ENVIRONMENT:**

This service was operated from two rooms in the registered providers domestic dwelling in an urban setting. Children were observed playing with playdough, reading books, making jigsaws and washing dolls at the water table.

The pre-school rooms were equipped with open shelving units which were child accessible so that the children could access the equipment and materials independently. Shelving units were also used effectively as room dividers to create play spaces, such as the library/quiet area, dress up area, farm area, home corner, construction area, small world area and arts and crafts area and tabletop activities area. There was a 'Family tree' which displayed pictures of each child's family which supported children's sense of identity and belonging.

Children played in the outdoor play area which had a concrete surface and was safe and secure. There was a plentiful supply of ride on bikes and trikes for children and all children were dressed appropriately for the weather. Children were encouraged to play at the open sand table and enjoyed this form of messy play. A section of the outdoor play area was roofed since the last inspection of the service which allowed children spend additional time outdoors in the fresh air.

## Part V - Care of Child in Pre-school Service

### Regulation 21 – Equipment and materials

*A registered provider shall ensure that there is adequate and suitable furniture, play and work equipment and materials available on the premises of the pre-school service.*

#### Non-Compliance Information

A child sized couch in the smaller playroom was observed to be torn and in a poor state of repair which posed a risk to the safety of the children.

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

##### Corrective and Preventive Action

A cover has been placed on the couch to make it safe.

##### Supporting documentation submitted

Photographic evidence has been submitted.

#### Summary Comment

The actions as stated by the registered provider meet the requirements of the regulation 21.

### Part V - Care of Child in Pre-school Service

#### Regulation 22 – Food and drink

*A registered provider shall ensure that adequate and suitable, nutritious and varied food and drink is available for each pre-school child attending the pre-school service.*

#### Non-Compliance Information

A birthday party for a child celebrated on the day of inspection was at variance with the healthy eating policy for the service. The policy stated that a birthday cake could be supplied by parents, however fizzy drinks, sweets, chocolate, crisps, popcorn and nuts were not allowed.

- Following their lunch, the children were served a large chocolate cake and a party bag which contained fizzy drinks, sweets and chocolate with a high sugar content.  
The noise level in the room escalated to a point where staff found it difficult to organise the children, arrange activities or allow free play.
- A child was observed to sit in the rest area with its hands covering its ears in an attempt to block out the noise in the room at the time. Another child was observed to cry continuously despite efforts by staff to sooth and calm the child.

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

##### Corrective and Preventive Action

Parents have been consulted to suggest alternative ways in which to celebrate childrens birthdays.

##### Supporting documentation submitted

The policy on childrens birthdays has been reviewed and submitted.

#### Summary Comment

The actions as stated by the registered provider meet the requirements of the regulation 22.

### Part VI - Safety

#### Regulation 24 - Checking in and out and record of attendance

*(1) A registered provider shall ensure that each pre-school child attending the service is checked in and out of the service by an employee or an unpaid worker.*

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

*(a) no person other than-*

*(i) pre-school child attending the service,*

*(ii) a person dropping or collecting such a child,*

*(iii) an employee, or*

*(iv) an unpaid worker, can enter the premises without his or her entry being approved by an employee, and*

*(b) a daily record in writing is kept of the entry on the premises of any such person.*

#### Compliance Information

(1) Each pre-school child attending the service was checked in and out of the service by the registered provider. This record was available on the attendance register.

(3)(a) The registered provider ensured that no person other than the following were allowed enter the service.

(i) Pre-school child attending the service.

(ii) A person dropping or collecting such a child.

(iii) An employee.

(iv) An unpaid worker can enter the premises without his or her entry being approved by an employee.

#### Non-Compliance Information

(b) A record in writing was not kept of persons who entered the service.

- A visitor's logbook was not available.

- The early years inspector and second professional present on the day of the inspection were not requested to sign the visitors book.

- There were no details of the persons name, contact number or reason for entry.

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

##### Corrective and Preventive Action

A visitors logbook is now available at the entrance door to the service.

##### Supporting documentation submitted

Photographic evidence of the logbook was submitted.

## Summary Comment

The actions as stated by the registered provider meet the requirements of the regulation 24.

## 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) There registered provider had up to date training in first aid response for children.

(2) (a) The first aid box was safely stored in easily accessible position in the playroom.

(b) The first aid box was available to the children attending the pre-school service at all times.

## 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.*

*(3) A registered provider shall ensure that a record referred to in paragraph (2) is retained for a period of 5 years after its creation*

*(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

(4) A notice of the procedures to be followed in the event of fire was displayed in a prominent position at the premises

## Non-Compliance Information

(1)(a) Documentation was not available to demonstrate that fire drills were practiced monthly. The last recorded date of practice of fire drills was April 2023.

(b) The number, type and maintenance record of the firefighting equipment and smoke alarms was not up to date. Fire extinguishers were last serviced in April 2022. Smoke alarms were last serviced in October 2021.

## Corrective & Preventive Action submitted by the Registered Provider

### **Corrective and Preventive Action**

(1)(a) A fire drill record logbook is now available where the monthly fire drill practice will be recorded.

(b) Fire extinguishers and smoke alarms have been serviced.

### **Supporting documentation submitted**

Documentary evidence has been submitted to demonstrate that fire fighting equipment and smoke alarms have been serviced.

## Summary Comment

The actions as stated by the registered provider meet the requirements of the regulation 26.

## Part VI - Safety

### Regulation 28 - Insurance

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

## Compliance Information

Adequate insurance was available to cover the number of children who attended.